

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1967

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 2, 1967



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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JOURNAL
OF THE
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FIRST LEGISLATIVE DAY

MAY 2, 1967

This being the first Tuesday in May, A. D., 1967, and the day fixed by law and the Constitution of the State of Alabama, for the biennial meeting of the Legislature of Alabama:

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery at 12 o'clock Noon, and was called to order by Lieutenant Governor Brewer, President and Presiding Officer of the Senate.

McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend Mark E. Waldo, Minister, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Folsom	Leonard	Pelham
Albea	Giles	Lindsey	Pierce
Bailes	Gilmore	Lolley	Skidmore
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Morrow	Turner
Cooper	Hawkins	O'Bannon	Vacca
Engel	Jackson		

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LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Branyon, Nabors, Adams, Dominick, Oden and Radney for today.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, May 2, they adjourn to meet again

on Wednesday, May 3, 1967, and that when they adjourn on Wednesday, May 3, they adjourn to meet again on Tuesday, May 9, 1967.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to notify the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that said Committee ascertain from Her Excellency if she desires to address a joint session of the Legislature and if she does desire to address a joint session, to further ascertain the time most suitable to her for such address.

And the Speaker of the House named as a Committee on the part of the House Messrs. Lemley, Fine and Young.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. McCarley and Hawkins.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Turner and Folsom:

S. 1. To make appropriations for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Committee on Finance and Taxation.

By Mr. Nabors:

S. 2. Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Nabors:

S. 3. To submit to a vote of the qualified electors of the state the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Nabors:

S. 4. To provide further for purging the lists of qualified electors; to authorize and direct boards of registrars to omit or remove from such lists the names of electors who have not voted in a county-wide election during two successive general election years; to provide that persons whose names are so omitted or removed shall not cease to be qualified electors nor be subject to reregistration but shall be subject only to reidentifying themselves before being entitled to be listed on the list of qualified electors; to place certain additional duties upon the judges of probate and upon election officials; to provide for the payment of the costs of administering this act out of the county treasuries; to provide that any person knowingly and wilfully making a false statement in connection with reidentification of electors pursuant to this act is guilty of perjury; and to prescribe penalties.

Committee on Privileges and Elections.

By Mr. Nabors:

S. 5. To change the time of meeting of the legislature in regular sessions; amending Code of Alabama Title 32, Section 4.

Committee on Judiciary.

By Mr. Nabors:

S. 6. To amend further Code of Alabama 1940, Title 22, Section 114, in relation to the authority of the county rabies inspector to confine dogs.

Committee on Public Health.

By Mr. Nabors:

S. 7. To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county.

Committee on Local Legislation No. 1.

By Mr. Nabors:

S. 8. To authorize and regulate savings and loan deposits in two names, and to permit any payment thereof, and any interest and dividends thereon, to either party whether the other be living or dead, and to regulate savings and loan deposits made by any person in trust for another and to permit payment thereof to the person for whom such deposit was made, whether adult or minor, upon the death of the trustee, when no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said savings and loan association.

Committee on Banking.

By Mr. Nabors:

S. 9. To amend Code of Alabama 1940, Title 36, Section 15, which relates to drivers of motor vehicles following other vehicles, so as to increase the distance which the driver of a truck must maintain between his truck and the truck which he is following.

Committee on Judiciary.

By Mr. Albea:

S. 10. To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority.

Committee on Constitution and Constitutional
Revision and Amendments.

By Mr. Albea:

S. 11. Proposing an amendment to the Constitution of Alabama relative to the holding of primary elections by political parties, and ordering an election thereon.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 12. To amend Code of Alabama 1940, Title 17, Sections 336 and 339, which relate to primary elections held by political parties, so as to make such elections compulsory under certain conditions.

Committee on Constitution and Constitutional
Revision and Amendments.

By Mr. Albea:

S. 13. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts, the compensation of county officers, and the consolidation of county offices.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 14. To propose an amendment to the Constitution providing for the method of levying special taxes in the several counties, municipalities, school districts, and other special districts of this State.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 15. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts in the several counties.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 16. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing an expense allowance for the circuit court clerk, and repealing conflicting laws.

Committee on Local Legislation No. 1.

By Messrs. Albea, Skidmore, Torbert, Turner, Folsom and Goodwyn:

S. 17. To authorize the Governor, the Chief Justice of the Alabama Supreme Court, and the Presiding Judge of the Alabama Court of Appeals to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed \$5,000,000.00, construct, operate and maintain, or cause to be constructed, operated and maintained, a judicial building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds, and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom, and any securities issued and the income therefrom, and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Committee on Finance and Taxation.

By Messrs. Vacca, Childs, Bailes, Engel, McDermott, Givhan, Lolley, Stone, Torbert, Folsom, Lindsey, Jackson, Branyon, Pierce, Oden, Radney, Clark, Carr, O'Bannon, Pelham, Nabors, Albea, Gilmore, Hawkins, McCarley and Turner:

S. 18. To amend Code of Alabama 1940, Title 51, Section 15 relating to the exemption of homesteads from state ad valorem taxes, so as to provide additional exemptions for persons over sixty-five years of age.

Committee on Finance and Taxation.

By Messrs. Vacca, Childs, Dominick, Morrow, McCarley, Engel, Givhan, Stone, Jackson, Branyon, Oden, Skidmore, Leonard, Radney, Carr, O'Bannon, Pelham, Nabors, Harris, and Turner:

S. 19. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Committee on Finance and Taxation.

By Mr. Vacca:

S. 20. Relating to driver training schools, providing for their licensing and licensing of an instructor of a school and qualifications, insurance requirements, bond requirements, the renewal of their licenses, determining the registration fees and disposition of the moneys received, and providing for penalties for violation thereof.

Committee on Aviation and Traffic.

By Mr. Givhan:

S. 21. To make an appropriation for capital outlay for the Alabama Pesticide Residue Laboratory of the Department of Agriculture and Industries.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 22. To amend Act No. 440, H. B. 967, Regular Session 1961, providing compensation for commissioners of The Selma Housing Authority for performance of certain duties.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act. No. 440, H. B. 967, Regular Session 1961, providing compensation for commissioners of The Selma Housing Authority for performance of certain duties.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 440, H. B. 967, Regular Session 1961, an act providing compensation for commissioners of The Selma Housing Authority (Acts 1961, v. 1, p. 479) is amended to read as follows:

"Section 1. The commissioners of The Selma Housing Authority have duties in and about the supervision, management, operation and maintenance of the Nathan Bedford Forrest Homes in the vicinity of Craig Air Force Base in Dallas County, Alabama, beyond the usual duties of housing authority commissioners; and the commissioners are entitled to be paid reasonable compensation for the performance of such duties. The Chairman of The Selma Housing Authority shall be entitled to be paid a sum to be fixed by the Selma Housing Authority Board not to exceed \$100.00 per month; and each of said commissioners of The Selma Housing Authority shall be entitled to be paid a sum to be fixed by said Board not to exceed \$50.00 per month, which said compensation shall be payable from rents and income derived from the Nathan Bedford Forrest Homes."

Section 2. This Act shall become effective on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 12, March 19, March 26, and April 2, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me April 4, 1967.

JOSEPHINE K. TIPTON,
Notary Public.

By Messrs. Givhan and Turner:

S. 23. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 24. To amend Act No. 132, H. 186, Regular Session 1945, an act to regulate the making and applying of rates for fire, inland marine, and all other kinds of insurance which fire insurance companies are authorized to write in this State (General Acts 1945, p. 133).

Committee on Insurance.

By Mr. Givhan:

S. 25. To amend Act No. 133, H. 187, Regular Session 1945, an act to regulate the making and applying of rates for casualty, surety, and all other kinds of insurance which casualty and surety insurance companies are authorized to write in this State (General Acts 1945, p. 145).

Committee on Insurance.

By Mr. Givhan:

S. 26. To make an additional appropriation to the use of the Farmers Market Authority for the fiscal year ending September 30, 1967.

Committee on Finance and Taxation.

By Messrs. McCarley, Torbert, Giles, Stone and Leonard:

S. 27. To require certain deviate sex offenders to register with the sheriff of the county where they reside, and prescribing the punishment for wilful failure or refusal to so register.

Committee on Judiciary.

By Messrs. McCarley, Skidmore, Carr, Giles, Torbert, Stone, Jackson, Goodwyn, O'Bannon and Leonard:

S. 28. To provide distinctive license plates free of charge for Alabama members of the United States Senate and House of Representatives; authorizing the commissioner of revenue to provide rules and regulations for the making, issuance and design of such plates, subject to certain specifications.

Committee on Military.

By Mr. Cooper:

S. 29. To amend Section 119 of Title 48, Code of Alabama of 1940, so as to state specifically that a transportation company which charges more compensation for transporting logs of any length to a pulp or paper mill than it charges for transporting such logs to a sawmill or other wood converting mill shall be deemed guilty of unjust discrimination.

Committee on Aviation and Traffic.

By Messrs. Turner, Torbert, Giles, Lolley, Clark and Cooper:

S. 30. To make an appropriation for the support of the Commission on Mental Illness of the Southern Regional Education Board.

Committee on Finance and Taxation.

By Messrs. Torbert, Turner, Giles, Lolley, Clark and Cooper:

S. 31. To provide for cooperation by the State of Alabama with other Southern States in nuclear development of the South, and making an appropriation for that purpose.

Committee on Finance and Taxation.

By Messrs. Turner, Torbert, Giles, Lolley, Clark and Cooper:

S. 32. To create a special committee of the Bureau of Publicity and Information Advisory Board; to prescribe its authority and duties; to provide for the payment of certain expenses; and to make an appropriation.

Committee on Finance and Taxation.

By Messrs. Turner, Torbert, Giles, Lolley, Clark and Cooper:

S. 33. To make an appropriation for the support of the Council of State Governments.

Committee on Finance and Taxation.

By Messrs. Turner, Torbert, Giles, Lolley, Clark and Cooper:

S. 34. To make an appropriation to the Governors' Office for the purpose of paying contribution to the National Governors' Conference.

Committee on Finance and Taxation.

By Messrs. Turner, Torbert, Giles, Lolley, Clark and Cooper:

S. 35. To make appropriations from the State Treasury for capital improvements.

Committee on Finance and Taxation.

By Messrs. Turner, Torbert, Giles, Lolley, Clark and Cooper:

S. 36. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of fiscal years ending September 30, 1968 and September 30, 1969, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the University of South Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Committee on Finance and Taxation.

By Messrs. Turner, Torbert, Giles, Lolley, Clark and Cooper:

S. 37. To make conditional annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1968 and September 30, 1969, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the University of South Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls and for the Alabama Educational Television Commission.

Committee on Finance and Taxation.

By Messrs. Turner, Giles, Lolley, Clark and Cooper:

S. 38. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Committee on Finance and Taxation.

By Messrs. Turner, Lolley, Clark and Cooper:

S. 39. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Committee on Finance and Taxation.

By Messrs. Goodwyn, Torbert, Skidmore, Turner and Engel:

S. 40. To further amend Section 107 of Title 13, Code of Alabama (1940), to fix the compensation of the clerk of the court of appeals, and to appropriate funds for carrying out the provisions of this act.

Committee on Finance and Taxation.

By Messrs. Goodwyn, Torbert, Skidmore, Turner and Engel:

S. 41. To make an additional appropriation for the expenses of the Court of Appeals.

Committee on Finance and Taxation.

By Messrs. Goodwyn, Lolley, McDermott, Folsom, Giles, Engel, Pelham, Vacca, Givhan, Jackson, Radney, Skidmore, Stone, Childs, Hawkins, Cooper and O'Bannon:

S. 42. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

Committee on Finance and Taxation.

By Messrs. Pierce, Goodwyn, Vacca and McDermott:

S. 43. To provide time off duty for state employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members.

Committee on Printing.

By Mr. Lolley:

S. 44. Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use of the city and of the county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use city and of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate authorities of any city in Pike County, and the Court of County Commissioners of Pike County may establish

within the city, or within the county, ambulance service for the reception and conveyance of the sick, infirm or injured, and may make all needful rules and regulation for the control and management thereof. The corporate authorities of any city or cities within the county and the Court of County Commissioners may unite in the establishment of such ambulance service if deemed expedient, making it common for the use of the city and of the county, and in the making of rules and regulations for the control and management thereof, and shall jointly have the same powers and authority above conferred upon each.

Section 2. The governing body of any such city or the county may make an appropriation or appropriations out of their respective treasuries to aid in maintaining such service for the benefit of the public. Any ambulance service established under the provisions of this Act may pick up or discharge patients beyond the boundaries of the city or county.

Section 3. All laws and parts of laws in conflict with the provisions hereof are, to the extent of such conflict, repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF PIKE

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice Notice—Ambulance service was published in said newspaper 4 times, the same appearing in the issues dated: March 9, 16, 23, 30.

M. F. BOISCLAIR,
Bus. Mgr.

Sworn to and subscribed before me this the 8 day of May 1967.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

By Mr. Lolley:

S. 45. Relating to Pike County; to provide further for the distribution of fines and forfeitures in certain cases.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Pike County; to provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction, other than municipal courts, within Pike County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid to the general fund of Pike County and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are, to the extent of such conflict, repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF PIKE

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice Notice—Fines & forfeitures was published in said newspaper 4 times, the same appearing in the issues dated: March 9, 16, 23, 30.

M. F. BOISCLAIR,
Bus. Mgr.

Sworn to and subscribed before me this the 8 day of May 1967.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

By Mr. Lolley:

S. 46. Relating to Pike County, relative to closing the office of officials in the courthouse on Saturday of each week.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County, relative to closing the office of officials in the courthouse on Saturday of each week.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Pike County may, by resolution, authorize all of the offices of the officials in the county courthouse to close all day on Saturday of each week.

Section 2. All laws in conflict with this Act are, to the extent of such conflict, hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
COUNTY OF PIKE**

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice Closing Court House on Saturday was published in said newspaper 4 times, the same appearing in the issues dated: March 9, 16, 23, 30.

M. F. BOISCLAIR,
Bus. Mgr.

Sworn to and subscribed before me this the 8 day of May 1967.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

By Mr. Lolley:

S. 47. To amend Section 1 of Act No. 631, S. 538, Regular Session 1957 (Acts 1957, p. 948) an Act fixing the compensation and providing an expense allowance for members of the county governing body of Geneva County, so as to regulate further such compensation and allowances; and to repeal conflicting laws including Act No. 643, S. 590 and Act No. 727, H. 1247, Regular Session 1965 (Acts 1965, p. 1162 and p. 1333).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF GENEVA**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 1 of Act No. 631, S. 538, Regular Session 1957 (Acts 1957, p. 948) an Act fixing the compensation and providing an expense allowance for members of the county governing body of Geneva County, so as to regulate further such compensation and allowances; and to repeal conflicting laws including Act No. 643, S. 590 and Act No. 727, H. 1247, Regular Session 1965 (Acts 1965, p. 1162 and p. 1333).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 631, S. 538, Regular Session 1957 (Acts 1957, p. 948) an Act Fixing the compensation and providing an expense allowance for members of the county governing body of Geneva County is amended to read as follows:

"Section 1. Each member of the court of county commissioners, board of revenue, or like governing body of Geneva County, except the chairman or other presiding officer, shall receive a salary of Four Thousand, Eight Hundred Dollars (\$4,800) per annum, payable in equal monthly installments out of the county treasury. In addition, members of the governing body other than the chairman or other presiding officer shall each receive an allowance of One Hundred Fifty Dollars (\$150) per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as members of the county governing body. The compensation provided for herein shall be in lieu of all other compensation provided by law; and shall be payable out of any money in the county treasury which has been designated and set apart therefor by the court of county commissioners, board of revenue or other governing body, and such county governing body, in its discretion, may provide for the payment of a part or portion of the salaries and expense allowances to the members out of the county gasoline tax revenues, provided that the part or portion of each commissioner's salary, which is paid out of the county gasoline tax revenue, bears the same ratio to such member's total salary that the part or portion of the time spent by such member in the discharge of his duties in inspecting, accepting, building, repairing or supervising any of the county roads or bridges bears to the full time devoted by such member to the discharge of the duties of his office, and the part or portion of the expense allowance of each member which is paid out of the county gasoline tax revenue bears the same ratio to the total expense allowance paid such member that the expenses incurred by such member in connection with the discharge of his duties in inspecting, accepting, building, repairing or supervising any of the county roads or bridges bears to the total expense allowance paid to such member. Provided, further, that such use of gasoline tax revenues shall be in accordance with and subject to all provisions of Title 51, Section 655, Code of Alabama 1940, as amended. The chairman or other presiding officer of the court of county commissioners, board of revenue, or like governing body of Geneva County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law."

Section 2. All laws or parts of laws in conflict with this Act, including Act No. 643, S. 590 and Act No. 727, H. 1247, Regular Session 1965 (Acts 1965, p. 1162 and p. 1333) are hereby repealed.

Section 3. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms expire first.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 30, April 6, April 13, and April 20, all in the year 1967.

ORSEN B. SPIVEY.

Sworn to and subscribed before me April 20, 1967.

MARY C. DAUGHTRY,
Bookkeeper.

By Mr. Lolley:

S. 48. To amend Title 51, Section 569, Code of Alabama, in relation to the license payable by photographers and photograph galleries.

Committee on Finance and Taxation

By Mr. Lolley:

S. 49. Granting to minors not less than 15 years of age at nearest birthday the capacity to contract for annuities, endowments, life insurance and accident and sickness insurance on his own life or body or on the life or body of any person in whom such minor has an insurable interest; and providing that minors not less than 18 years of age at nearest birthday may give valid acquittance, discharge and release for payment or payments under life insurance endowment and annuity contracts and accident and sickness insurance contracts not exceeding \$3,000 in any one year made by any one company.

Committee on Insurance.

By Mr. Lolley:

S. 50. To amend further the title and Sections 1, 2, 3 and 4 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, Page 549) as amended by Act 124, H. 223, Second Special Session 1965; (Acts of Alabama 1965, Page 172), and to amend Sections 6 and 7 of said Act entitled, "An act concerning gifts of securities, money and life insurance to minors and to make uniform the law with reference thereto", so as to provide for gifts of annuity contracts to minors under such act, to define "financial institution", to provide for the designation and appointment of a successor custodian, and for other purposes.

Committee on Insurance.

By Mr. Lolley:

S. 51. To amend Section 7 of Title 28 of the Code of Alabama (1940) to provide that the validity of a life insurance policy shall not be contested after it has been in force during the lifetime of the insured for a period of two years from its date of issue with certain exceptions; to provide a similar period after which the validity of a reinstated life insurance policy or contract may not be contested for fraud or misrepresentations; to define the scope of such incontestable provision; and to provide that no plea of misrepresentation or fraud in the application for a life insurance policy shall be filed in any court unless accompanied by a payment into court of all premiums paid on the policy being contested.

Committee on Judiciary.

By Mr. Lolley:

S. 52. To amend Code of Alabama 1940, Title 28 Sections 68 and 70 relating to guarantee fund and deposits of insurance companies.

Committee on Insurance.

By Mr. Lolley:

S. 53. Relating to life and accident and sickness insurance, and providing that applications therefor may be made by the individual insured and certain others.

Committee on Insurance.

By Mr. Lolley:

S. 54. To amend Section 1 of Act 347 of the General Acts of Alabama 1947, now codified as Title 28, Section 246, Code of Alabama (1940) to provide that a mutual aid association, benefit or industrial company, shall have a minimum paid-in capital of fifty thousand dollars plus an additional surplus of seventy-five thousand dollars, and for other purposes.

Committee on Insurance.

By Mr. Lolley:

S. 55. To provide for the assignment of life insurance policies under certain circumstances even to those having no insurable interest.

Committee on Insurance.

By Mr. Clark:

S. 56. To fix the rate of assessing property for taxation and repeal conflicting laws.

Committee on Finance and Taxation.

By Messrs. Morrow, Torbert, Givhan, Oden and Lindsey:

S. 57. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

Committee on Banking.

By Messrs. McDermott, Goodwyn and Pierce:

S. 58. To amend further Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Committee on Judiciary.

By Messrs. Cooper, Lolley, Givhan, McCarley, Skidmore, Turner, Clark, Lindsey and Giles:

S. 59. To provide Supernumerary Tax Collectors, Tax Assessors, License Commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama; describing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and providing for the payment of their salaries.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Clerk of the House and Secretary of the Senate be authorized to retain the clerical staff and all subordinate employees of the House and Senate to perform the necessary duties of the House and Senate during the recess period as authorized by S. J. R. 53.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, H. J. R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That each house shall, on Tuesday, May 9, 1967, immediately following the call of the districts or counties, as the case may be, proceed to elect members of the Building Commission, Legislative Council, and Committee on Examiners of Public Accounts, in the number and manner prescribed by law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Weeks:

H. J. R. 5. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That both houses shall recess for Thursday, June 1, next, so that the chambers of the two houses may be made available on that date for the use of the delegates to Boys' State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Drake, Adwell, Agee, Bank, Beck, Berryman (R), Berryman (W), Bowers, Brannan, Brown, Burgess, Burgreen, Cherner, Collier, Cook (Jefferson), Crawford, Culver, Dobbs, Downing, Ellis, Foshee, Garrett, Graham, Grayson, Harper, Harris, Haygood, Headley, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Kilgore, Lemley, Malone, McElhaney, Meeks, Melton, Owen (Baldwin), Owens (W), Pearson, Pennington, Sessions, Snell, Springer, Starnes, Stubbs, Waggoner, Watkins, Weeks, Yeilding and Young:

H. J. R. 6. WHEREAS Cassius Clay, Muhammad Ali, syncopated slacker, or by whatever name he chooses to be called, has not only failed to fulfill his obligation in the service of his country, but has refused to be inducted into service and pretends to choose imprisonment pending his appeal from the decision of his draft board; and

WHEREAS every man in his classification is duty bound to serve when called, and by virtue of the publicity he has received from having been boxing champion of the world, he has thrown away the unusual opportunity to act as a symbol of patriotism to all men and particularly to his people. He has chosen rather to shirk his responsibility, to flout his country, and to treat his government with insulting contempt in disputing its right to prosecute for refusal to enter the Armed Services; and

WHEREAS Cassius Clay has stated his intent to move to Alabama where he claims to have bought a farm, knowing full well that he will not be welcome in this State which is famed for its heroes who have fought and died in the service of this Nation. There are no draft card burners in Alabama. There are no picketers or placard bearers in Alabama against the Vietnam War. There are no student uprisings in Alabama protesting this country's stand in defense of liberty. There are thousands of Alabama men and boys fighting and giving their lives in defense of freedom in Vietnam. Thousands of students in our colleges and universities have stood in line for hours on many occasions in drives to give their blood to our troops in Vietnam, which blood drives broke our own universities' records in unprecedented numbers of pints of blood collected. Countless Alabama families have known the grief that comes with the knowledge that one of their members has made the supreme sacrifice. Countless more will suffer this grief as a result of a war needlessly prolonged by actions such as those of Clay, which can but give encouragement to the enemy; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we denounce Cassius Clay, and hold him and all he stands for in the utmost contempt. We deplore his intention to move to Alabama, and assure him that he will not be welcomed by the people of any race. His presence will serve as an embarrassment to Negroes many of whom are our finest citizens and few, if any, will be swayed by his false beliefs. We memorialize the State Boxing and Wrestling Commission to refuse to license or permit Cassius Clay, or any other person of his ilk, to fight or put on any exhibition of any nature whatsoever in Alabama.

RESOLVED FURTHER that a copy of this resolution be sent to the State Boxing and Wrestling Commission and to Cassius Clay.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 6, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

Messrs. Nabors and Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. WHEREAS Gadsden, Vietnam a village of approximately five hundred refugees living in one hundred neat concrete block homes exists as the result of an idea initiated and pursued by the concerted efforts of the people of Gadsden, Alabama to do something for the people of Vietnam; and

WHEREAS Mayor Leslie L. Gilliland of Gadsden sent The Reverend Richard Bolen to Vietnam as an ambassador of good will to determine how best a practical expression of the feelings of the citizens of Gadsden and Etowah County might be transmitted to the people of Vietnam. As a result of this visit, the village was built as planned by the 23rd Artillery Group, Gadsden's adopted unit in Vietnam, under the sponsorship of the City of Gadsden, Alabama with the cooperation of the citizens of Etowah County. Construction of an elementary school started April 1, and completion is expected within the next few days. The Binh Duong District, Vietnam will furnish teachers. A village craft shop has been started which when completed will be used to teach the villagers new techniques of sewing, cooking and other practical skills. The principal occupation is raising pigs which will be used partially for feeding the villagers, but mainly for marketing purposes. Plans are made for making a useless gorge into a farming area and building a dam at its head for irrigation purposes. Each home will have a garden area and every effort is being made to make the village a self sustaining one; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend Mayor Leslie L. Gilliland and the members of the Gadsden city commission, The Reverend Richard Bolen, the citizens of Gadsden and the people of Etowah County for their initiative and tremendous effort in making this unique experiment in international relations into such a practical and successful project.

RESOLVED FURTHER That copies of this resolution shall be sent to Mayor Leslie L. Gilliland and The Reverend Richard Bolen of Gadsden and to Colonel Thomas H. Sayes, Commanding Officer of the 23rd Artillery Group in Vietnam.

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

MAY 2, 1967

MESSAGE FROM THE GOVERNOR

To the Members of the Alabama Legislature in Regular Session assembled on Tuesday, May 2, 1967.

Under the Alabama Constitution it is my duty to give you information at the beginning of each Regular Session of the Legislature on the condition of the State and to make such recommendations for your consideration which I deem to be of general significance.

It is a pleasant duty, for it provides me an opportunity to again tell you how pleased I am that you have enacted into law certain programs which I thought were necessary during the recent Special Session of the Legislature.

I want to commend you particularly for your determination, time and conscientious effort in finally resolving the knotty problem of reallocating gasoline tax revenues.

The State is continuing to make unparalleled progress and with your continued dedication and courage we will meet every commitment we have made to the people.

I know that during the Special Session of the Legislature there were honest differences of opinion, but I know that you met the problem then and will continue to meet your differences in a spirit of reason and will be able to work out acceptable compromises. Certainly this is my hope and I am sure that it is yours also.

I am especially pleased that you worked with us in the common endeavor in providing for a continuation of the greatest highway building program in the history of the State. At the same time, we are meeting an unquestioned need of our cities and municipalities for a stable source of increased revenue for street and road improvements.

I am also grateful for your enactment into law of the competitive bid bill, which will cover state and local agencies not heretofore covered under the State general competitive bid law. As you know, strict adherence to this law at the State level has saved the State thousands of dollars. I am sure that similar savings will be made throughout the State as a direct result of this new law.

I join all State employees in thanking you for the much needed "cost of living" salary increases made available for merit system employees. We had promised this to the employees during the gubernatorial campaign, and I am glad that we have now fulfilled this commitment. I know that I speak for all merit system employees when I say a hearty, "Thank you".

You have also enacted important legislation implementing recommendations designed to continue the economic progress of the Wallace Administration. I refer to the legislation enabling the Alabama State Docks to undertake much needed capital improvements at the Theodore Industrial Park.

Other important legislation has been enacted, but the above examples are sufficient to support the conclusion that your accomplishments are significant, and to demonstrate that you have the ability to truly perform a wonderful service to the people of Alabama.

I am pleased that you recognized the needs which exist in our State mental hospitals. The appropriations made in this area were an urgent and immediate need.

As you know, I was deeply moved with compassion for these unfortunate people in our mental institutions when I paid a recent visit to the hospitals in Tuscaloosa. I knew before my visit that we should be doing more than we were for our mentally ill, but my trip convinced me that we should establish some priorities in this area.

I am deeply disappointed that you did not favorably consider the bill which would have required banks to pay interest on state deposits. I congratulate the House of Representatives for passing the bill and for refusing to concur in the amendments made by the Senate. All of us recognize the basic justice of requiring the banks in which state deposits are placed to pay a small return for the privilege of using the people's money. Most of our sister states in this region have already recognized the inherent rightness of having banks pay interest on such state deposits.

You will recall that my first executive order required that banks pay interest on state deposits placed with them. Before final implementation of this executive order, the banking interests of this state requested that we stay the execution of this order and approached us and requested that the matter be handled by legislation, pledging their full and complete support of a bill substantially in conformity with Executive Order Number one. Based on these assurances, we held up implementation of our executive order and legislation was prepared and introduced.

As you know, the Conference committee was unable to agree upon an acceptable compromise. It is hard for me to understand why this bill did not pass in view of the commitment we had from banking circles.

As a result of the bill's defeat, the State has lost an estimated \$4 million per year. The loss, over a twenty-five year period, would be \$100 million. Needless to say, we had planned to use part of this money to meet the unbelievable needs of our mentally ill.

We are going to continue to use the influence of the Governor's Office to push for the immediate passage of a fair and workable bill. In fact, such a bill will be introduced today. I call upon you and other state officials specifically concerned with this legislation to use every effort to secure its early passage.

You must now tackle the job which lies ahead.

There are a number of recommendations which were previously submitted on which you will want to consider taking action. From time to time we will submit for your debate and consideration several measures which we deem to be necessary and for the welfare and benefit of the people of Alabama.

This is a very unique Legislature. You have the opportunity to become one of the most progressive Legislatures that the State has ever had. Many of you are freshmen. As freshmen, you will necessarily want to heed the voices of experience on occasion, but there is nothing to prevent you from making suggestions for effecting productive changes. Some of you are returning to the Legislature after having been away from us for awhile. To you, the make-up of the Legislature is quite different—as indeed it is for us—because of the changes which have occurred by reason of apportionment. Many of you are back with us again from last time and we welcome you back. A few of you are what we might refer to as seasoned veterans. You have actually grown with the State. You have seen the State toil and work through many crises. It's good to have you back with us.

There had been and continues to be much speculation and some worry about what will happen in this the first Legislature apportioned

strictly according to population. There are going to be some attempts made to divide you into warring factions and to use the Urban-Rural issue in an attempt to array some of you against your fellow colleagues.

But those who would attempt to use such an issue and to you I ask this question, "Is Alabama divided?" The answer is obvious—of course, Alabama is not divided. Each of you is interested in the development and progress of the Great Port City of Mobile and the farming communities within the trade area of that great city. You are also tremendously concerned about the great Southern and Southeastern part of the State and especially the diversified farming and industry which is located there. Each of you is also acutely aware of the specific problems faced in the great Black Belt area of our State, where the State became well known as an agricultural giant, and the section which has produced some of our ablest political leaders and statesmen.

Each of you realize daily how much Birmingham and the industrial cities in that area of the State contribute to the welfare of the entire State. Neither can you fail to be proud of the Tennessee Valley as it continues to flourish as the fastest growing area in Alabama.

No, we are not divided. We are one body—which cannot function without the heart and the hands of all of us. We are one spirit—the spirit of continued progress for our State. We are concerned about our youth—which represents more than half of our population. We are interested—whether we live in the northern, central or southern part of Alabama and regardless of race or color—with the education and welfare of our young people and what we are going to pass on to them—which we hope will be better than what was passed on to us by our parents.

We are concerned then with the common problems which face all Alabamians.

Even though each of you was elected to represent a different district of the State, you are all Alabamians, and you are State Legislators—first and foremost. In every case when decision time comes, you and we must each ask ourselves if what we are doing is in the best interest of the State of Alabama. We owe a duty to every Alabamian to devote our time, talents, interests and debates to the issue of what is good for Alabama.

I need not remind you that our population has been shifting during the past few years. Many are leaving the farms and going to the urban areas, but these are still Alabamians—they are still our native sons and daughters, who were born here and continue to live here, although they may be following a different occupation than that of their forefathers. There are also about a quarter of a million of our residents who were born outside of Alabama and have come to join hands with us to build a bigger and better Alabama. We welcome them and hope they will be successful in Alabama.

Sectionalism, therefore, should have no place in our government. We are all Alabamians, by birth, or by reason of choice, and we owe each other the obligation to do nothing which would hurt Alabama by reason of local or sectional prejudice.

There will be times when you will disagree with each other. There will be times when we will disagree, but I hope it will always be on a matter of principle and not on matters of sectional pride, selfish interests or because of personality conflicts. We are all on the team together—with a common goal—Make Alabama number one in the Nation.

Alabama stands today on the threshold of being able to lead the entire Nation out of confusion and chaos into the light of a new day. The movement which was started here in Alabama by Alabamians is catching fire all over the country and you are indeed a part of the honored few who have been selected as leaders during this special period of history. You are a special people—called apart for special service—to right America's ship of state in the troubled waters in which it is sailing today.

So let us not be guilty of sectionalism on the National scale either. Let us not divide our country but lead our country back to the road of peace and progress and to our constitutional republic where the people themselves are the governors and the governed. Let the world know that we stand on principle—and that one of those principles is embodied in the pledge of allegiance to the American flag. In marked contrast to those who fly the Viet Cong flag and the Russian flag and raise food, blood and clothes for the Viet Cong, our people are law abiding, patriotic and believers in God.

Many of our cities have adopted special units of our fighting men in Viet Nam and there is a whole city named after Gadsden today in Viet Nam because of the efforts of the good people of Gadsden. Alabamians have the best record in the country of collecting blood for the members of the Armed Forces.

Our fields are dotted with the graves of those who have given their all in the defense of the principles represented by Old Glory, and we will continue to pledge ourselves in selfless devotion to other people who have a sincere desire to be free as we are.

We recognize the right of dissent which is one of our first freedoms, but I say, as my husband has said on many occasions—the collection of food, blood and clothes for the Viet Cong is not dissent—this is treason.

You are in a position as no other people have ever been. You will have the opportunity to tell the Alabama story to the rest of the Nation, and indeed the Nation is waiting to hear it. Those of you who have been outside of Alabama are aware that others are saying, "Thank goodness for Alabama!"

You will be faced, of course, with those who are not proud of Alabama—who look for every opportunity to discredit Alabama—and who are always being critical of you and me, but who have no reasonable suggestions to make, and who could not get elected to any post requiring the votes of the people. These people and their activities are necessary nuisances which you and I will have to endure, but we need not let it distract us from being proud of Alabama and it certainly should not limit us in carrying our message to the rest of the Nation.

You are on a fabulous team. Your duty is a large one. Presently, you have some very important legislation to consider and the people of Alabama—whether they live in North Alabama or South Alabama—or whether they live in the cities or in the rural areas—they all expect you to complete your tasks with dispatch and to vote only for those measures which will guarantee the people that they will receive a dollar's worth of value in state services for every dollar of tax money which is spent.

The people of Alabama have shown time and time again that they will do whatever is necessary to furnish all needed services.

Alabamians are practical. They know that they must share in furnishing necessary state services, and they do not mind participating in necessary governmental services if they are assured that their dollars are being well spent.

Briefly, you will need to give special attention to the general appropriations bill, keeping in mind that we must have a balanced budget and no proration.

We need to give further attention to public education in our continuing efforts to do what is right for the young people of Alabama. In this connection, I hope that you will give continuing priority to the investigation into the school situation in the State in the light of recent Federal court decisions.

There will be other proposals which will be submitted to you during the course of the regular session.

While I will not catalogue all of the programs on which I desire action, I specify the following areas in addition to those I have already mentioned and suggest them to you for consideration:

1. The overall Mental Health program of the State
2. A program for parks and recreation
3. A program to encourage further economic development
4. A program to help provide a fuller and happier life for our aged citizens

Again, let me say that we are depending upon you to keep the torch of the Alabama movement burning brightly. Your task will be lightened if you will remember two simple facts. First, you are a public servant. Second, ninety per cent of being a good public servant is being honest. Nothing can demoralize the people more and destroy confidence in government than dishonesty—including the failure to do the best job that you can under the circumstances.

I need not remind you that it is absolutely a necessity that we continue to remember the trust placed in us by the people of Alabama. They believe that we are capable of doing the job or we would not be here. I think we know basically what they want and how we can best represent their interest. This we must do individually and collectively.

I pledge that I will not let the people down and I will do anything in my power to help you do the same.

We have been charged with the duty of showing the Nation how a state handles its own problems and affairs responsibly. We cannot and we must not fail to carry out that duty.

Thank you very much.

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and ordered spread upon the Journal.

ADJOURNMENT

At 12:58 P. M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Wednesday, May 3, 1967, at 12 o'clock Noon.

SECOND LEGISLATIVE DAY

WEDNESDAY, MAY 3, 1967

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Noah Lisenby, Minister, Frazer Memorial Methodist Church.

ROLL CALL

Present:

Messrs.:	Giles	Lolley	Pierce
Albea	Gilmore	McCarley	Radney
Cooper	Goodwyn	Morrow	Skidmore
Dominick	Harris	O'Bannon	Stone
Engel	Jackson	Oden	Torbert
Folsom	Leonard	Pelham	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Givhan, Bailes, Hawkins, Branyon, Lindsey, Carr, McDermott, Childs, Nabors, Clark and Turner for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Vacca:

S. 60. To amend Sections 7, 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234; to provide for the salary of the Chief Examiner and the Assistant Chief Examiner of the Department of Examiners of Public Accounts; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

Committee on Finance and Taxation.

By Messrs. Stone and Skidmore:

S. 61. Declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting to be contraband; and providing for the condemnation and sale thereof for the benefit of the State game and fish fund.

Committee on Judiciary.

By Mr. Radney:

S. 62. Relating to Tallapoosa County; further regulating the places of meetings of the board of registrars; and providing additional compensation for members of such board, to be paid out of county funds.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; further regulating the places of meetings of the board of registrars; and providing additional compensation for members of such board, to be paid out of county funds.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Tallapoosa County shall meet each year for the number of days prescribed in Code of Alabama 1940, Title 17, Section 26, as amended. They are relieved, however, of the duty of visiting all the precincts between October first and December thirty-first in odd-numbered years, as therein required: and in lieu thereof in odd-numbered years they shall meet for the purpose of registering voters on ten different days in Precinct No. 2, on ten different days in Precinct No. 7, and on ten different days in Precinct No. 12.

Section 2. Each member of the board of registrars of Tallapoosa County shall receive five dollars (\$5) per day to be paid by the county on the order of the probate judge for each day's attendance of the registrar upon the sessions of the board. The per diem provided herein shall be payable from the general fund of Tallapoosa County and shall

be in addition to the compensation prescribed for registrars by the general law.

Section 3. This Act is supplemental. It shall not be construed to repeal or supersede as to Tallapoosa County any provision of the general law relative to meetings and compensation of registrars, except those provisions of Code of Alabama 1940, Title 17, Section 26, as amended, which are in conflict with and superseded by the provisions of Section 1 hereof.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. Clay Pless, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 30, April 6, April 13, and April 20, all in the year 1967.

H. CLAY PLESS.

Sworn to and subscribed before me April 20, 1967.

GEORGE H. FISHER,
Notary Public.

By Mr. Radney:

S. 63. To provide an expense allowance for county solicitors of counties having a population of not less than 34,000 nor more than 35,500, according to the last or any subsequent Federal decennial census.

Committee on Local Legislation No. 1.

By Messrs. Radney, Nabors, McCarley, O'Bannon, Morrow, Torbert, Jackson, Bailes, Childs, Leonard, Skidmore, Pierce, Oden, Hawkins, Folsom, Carr, Albea, Vacca, Stone, Lindsey and Gilmore:

S. 64. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Committee on Privileges and Elections.

By Messrs. Goodwyn and Cooper:

S. 65. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

Committee on Banking.

By Messrs. Pelham and McDermott:

S. 66. To amend further Section 38 of Title 8, Code of Alabama (1940) which provides for resident state fishing licenses.

Committee on Fish and Game.

By Messrs. Pelham and McDermott:

S. 67. To amend Section 41 of Title 8, Code of Alabama (1940) which provides the penalty for fishing without a license.

Committee on Fish and Game.

By Mr. Torbert:

S. 68. To amend Section 1 of Act No. 644, S. 328, approved September 16, 1953, Acts of Alabama, Regular Session, 1953, page 903, entitled, "An Act relating to fish and game; authorizing the use of certain species of the sunfish family for bait in the streams and waters in the State of Alabama."

Committee on Fish and Game.

By Mr. Cooper:

S. 69. Relating to fish; authorizing the Director of Conservation, under certain conditions, to promulgate rules and regulations for the taking of non-game fish from the public waters of this State by the use of wire baskets; levying a privilege license tax on each such wire basket; prohibiting the sale of fish so taken; repealing all laws and especially local laws in conflict herewith, and prescribing the penalty for violation of this Act.

Committee on Forestry and Conservation.

By Mr. Pelham:

S. 70. To provide a program for the protection of forest trees from insect infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for cooperative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund".

Committee on Forestry and Conservation.

By Mr. Pelham:

S. 71. To amend Title 8, Section 206, Code of Alabama 1940, which pertains to the police powers of the employees of the Department of Conservation.

Committee on Forestry and Conservation.

By Mr. Pelham:

S. 72. To appropriate the sum of Fifty Thousand Dollars for each of the next two fiscal years from the General Fund of the State to the Division of Forestry of the Department of Conservation for meeting fire and insect emergencies on the forests of this State.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 73. To make it unlawful for any person to set certain type fires when an emergency drought condition exists when so declared by the Director of Conservation with the approval of the Governor.

Committee on Forestry and Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 1. Relative to the adjournment of the two Houses to meet again on Wednesday, May 3, and Tuesday, May 9, 1967.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Starnes, Drake and McDonald:

H. J. R. 10. WHEREAS the death of Dr. E. H. Couch beloved physician of Guntersville ended a career that included thirty-five years of practice, twenty-eight years as a bank president, and twenty-one years as mayor of Guntersville; and

WHEREAS Dr. Couch was a highly skilled physician whose knowledge was broadened through long years of practice and who gave unstintingly of his time and efforts in ministering to his patients. He was sensitive to their every need, and it was under his leadership that Guntersville built one of the first municipal hospitals in Alabama. He was a versatile man who contributed heavily to every worthwhile endeavor and initiated many programs for the betterment of his area. Under his direction as bank president, that institution grew from one of uncertain footing to a sound and successful business enterprise. During his terms as mayor, he saw Guntersville double its population and grow into a favorite resort area. A few years ago the Guntersville armory was named in his honor; and

WHEREAS Dr. Couch is survived by two sons, Mr. Owen Couch of Guntersville and Dr. Robert B. Couch of Houston, Texas; two daughters, Dr. Maxine Couch of Montevallo and Mrs. Marguerite Smith of Huntsville; and ten grandchildren; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Alabama has suffered a distinct loss in the death of Dr. Couch. We extend our deep sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 10, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

COMMITTEE APPOINTMENTS ANNOUNCED

Pursuant to the provisions of S. J. R. 18, adopted at the 1967 Organizational Session, the President and Presiding Officer of the Senate appointed as members on part of the Senate Messrs. Giles and Albea.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Meeks and Pennington:

H. J. R. 9. WHEREAS the members, officers, and employees of the House need additional space in the Capitol for committee rooms, conference rooms, and other like facilities to promote the convenience of the members and to expedite the work of the clerical force; and

WHEREAS the only suitable space that can be found for this purpose is that now occupied by the Department of Examiners of Public Accounts; therefore, be it

RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That the Chief Examiner of Public Accounts and the Department of Examiners of Public Accounts are hereby requested to vacate at the earliest possible date the space in the Capitol presently occupied by the Department, its officers, and employees, and to release such space to the custody and control of the Clerk of the House.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 9, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ellis:

H. J. R. 7. WHEREAS Senator Dodd has for the third time introduced his bill in the U. S. Senate to limit the sale and possession of firearms; and

WHEREAS this bill clearly violates the second amendment of the U. S. Constitution which guarantees the right of the people to keep and bear arms, a right the citizens of this nation have had for nearly two centuries and which shows the world that ours is a free country. No dictatorship could give its citizens such a right and none does; and

WHEREAS the Dodd bill has the effect of disarming the law-abiding citizen and depriving him of his constitutional right to protect himself against the violence now rampant and of insuring the criminal that his proposed victim will be unarmed, imposing a costly and unfair burden on the responsible citizen but no burden whatsoever on the criminal; and

WHEREAS the senseless and shameful torrent of anti-gun hysteria that has swept the country is the product of the unreasoning instinct to soothe our fears in the wake of the increase of crime by doing something however illogical and harmful it might be. The professional anti-gun bigots have had a golden opportunity to promote their singular mania and many self-seeking politicians have made the most of it. The junior Senator from Massachusetts arrogantly announced to a meeting

of the National Rifle Association that Congress would pass the Dodd Bill with or without the association's approval. Now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body reaffirms its opposition to federal legislation which abridges the rights of our law-abiding citizens under the second amendment of the United States Constitution, and we urge each member of our Congressional delegation to endeavor to thwart any encroachment upon the rights guaranteed to the citizens of the nation under this amendment.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each member of the Alabama Congressional delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 7, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Meade:

H. J. R. 8. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Senate Bill 117 which has passed both houses in The Special Session shall be named, designated, and known as the Stone-McDonald Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 8, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the provisions of S. J. R. 18, adopted in the 1967 Organizational Session, the Speaker of the House has appointed as members on the part of the House Messrs. Merrill, Pennington and Money.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Stone, Chairman of the Standing Committee on Aviation and Traffic, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 29. To amend Section 119 of Title 48, Code of Alabama of 1940, so as to state specifically that a transportation company which charges more compensation for transporting logs of any length to a pulp or paper mill than it charges for transporting such logs to a sawmill or other wood converting mill shall be deemed guilty of unjust discrimination.

ADJOURNMENT

At 12:26 P. M., on motion of Mr. Lolley, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, May 9, 1967, at 2 o'clock P. M.

THIRD LEGISLATIVE DAY

TUESDAY, MAY 9, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Earl M. Hall, Pastor, Normandale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Leonard	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Nabors and O'Bannon for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Carr:

S. 74. To appropriate the sum of Three Thousand Eight Hundred and 50/100 Dollars to the Division of Game and Fish for additional construction of hatchery ponds and water supply systems at the Eastaboga Fish Hatchery from any unappropriated monies in the Game and Fish Fund.

Committee on Finance and Taxation.

By Mr. Carr:

S. 75. To propose an amendment to the Constitution of Alabama; establishing a game and fish fund in the State Treasury and requiring that certain monies be placed therein; to prohibit the diversion of any monies in said fund for any purposes other than the administration of the game and fish activities of the Department of Conservation and for the protection, propagation, preservation, investigation of game and fish and the public use of the game and fish resources of this State.

Committee on Forestry and Conservation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Carr:

S. 76. Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County the county superintendent of education shall be entitled to such compensation, not less than \$10,000 per

annum, as the county board of education may prescribe. However, the compensation of the superintendent of education shall be fixed and determined before he enters upon the term for which he was elected or appointed and shall not be increased nor diminished during the term.

Section 2. All laws or parts of laws which conflict with this Act, including Act. No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1. p. 485), are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-13-67, 4-20-67, 4-27-67 and 5-4-67, all in the year 1967.

E. R. BLAIR.

Sworn to and subscribed before me May 5, 1967.

ETHEL BLAIR,
Notary Public.

By Mr. Albea:

S. 77. To require local governing bodies, both county and municipal, to provide for participation of their law enforcement personnel in the Employees Retirement System of Alabama.

Committee on Finance and Taxation.

By Mr. Branyon:

S. 78. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The compensation of the county superintendent of education of Fayette County shall be fixed by the County Board of Education. The amount thereof shall not be less than ten thousand dollars per annum and shall not exceed the sum of fifteen thousand dollars per annum, to be paid at the same time and in the same manner as now prescribed by law for the payment of compensation to the county superintendent of education of Fayette County.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 13, April 20, April 27, and May 4, all in the year 1967.

JACK BLACK.

Sworn to and subscribed before me May 4, 1967.

MARILYN S. McEACHERN,
Notary Public.

By Mr. Branyon:

S. 79. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glen Allen in Fayette County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Glen Allen in Fayette County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Glen Allen in Fayette County are hereby altered, rearranged, and extended so as to include within the corporate limits of the town, in addition to the area now embraced within the corporate limits of the town, the following described territory:

E $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 25, Twp 13 S., R12W; E $\frac{1}{4}$ of Sec. 36, Twp. 13 S., R12W; E $\frac{1}{4}$ of Sec. 1, Twp. 14 S., R12W; NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 12, Twp. 14 S., R12W; W $\frac{1}{4}$ of Sec. 7, Twp. 14 S., R11W; NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 18, Twp. 14 S., R11W; W $\frac{1}{2}$ of NW $\frac{1}{4}$, Sec. 18, Twp. 14 S., R11W; E $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 13, Twp. 14 S., R12W; SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 19, Twp. 13 S., R11W; NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 24, Twp 13 S., R12W; S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 7, Twp. 14 S., R11W; E $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 25, T. 13 S., R12W; W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 6, T. 14 S., R11W.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 16, Feb. 23, March 2, and March 9, all in the year 1967.

JACK BLACK.

Sworn to and subscribed before me March 13, 1967.

MARILYN S. McEACHERN,
Notary Public.

By Messrs. Vacca, Hawkins and Bailes:

S. 80. To Regulate The Establishment and Operation Of Separate Accounts By Life Insurance Companies in Connection With Group Pensions, Profit Sharing and Annuity Plans.

Committee on Insurance.

By Messrs. Vacca, Hawkins and Bailes:

S. 81. To designate Hematite as the official mineral of the State of Alabama.

Committee on Printing.

By Mr. Dominick:

S. 82. To amend Act No. 563, Acts of 1965, Regular Session, page 1049, "To provide for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Committee on Judiciary.

By Messrs. Folsom, Radney, Hawkins and Turner:

S. 83. Relating to taxation; exempting certain junior chamber of commerce organizations and their agencies from the levy of state, county, and municipal sales and use taxes.

Committee on Finance and Taxation.

By Messrs. Givhan, Adams and Branyon:

S. 84. Relating to the sale of livestock; making it a misdemeanor for any person to sell, offer for sale, buy or offer to buy livestock on any public street or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Committee on Agriculture.

By Messrs. Pierce and Goodwyn:

S. 85. To amend further Act No. 422, H. 325, Regular Session 1951, an act known as "The Alabama Real Estate License Law of 1951."

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 86. To amend Code of Alabama, Title 13, Section 79, relating to Assistant Marshal and Librarian of the Supreme Court of Alabama.

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 87. To amend Code of Alabama, Title 13, Section 81, relating to the library fund of the Supreme Court of Alabama.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Pierce:

S. 88. To amend Code of Alabama, Title 13, Sections 49, 51, and 57, relating to the Clerk of the Supreme Court.

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 89. To amend Code of Alabama, Title 13, Section 78, relating to the Marshal and Librarian of the Supreme Court.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Pierce:

S. 90. Relating to the treatment and handling of livestock in transit to market and in stockyards and auction barns; authorizing the Commissioner of Agriculture and Industries to regulate further the operation of livestock markets; making cruel and unnecessary abuse of livestock a misdemeanor and providing penalties for violations.

Committee on Agriculture.

By Messrs. Goodwyn and Pierce:

S. 91. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Article 6, Section 164 of the Constitution of Alabama relative to the Clerk of the Supreme Court.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Goodwyn and Pierce:

S. 92. To provide for municipal elections on legality of sale and distribution of alcoholic beverages in dry counties.

Committee on Temperance.

By Messrs. Skidmore, Torbert, Leonard, McCarley, Giles, Clark, Givhan, Branyon, Radney and McDermott:

S. 93. To amend Act No. 591, H. 140, Acts of Alabama, Regular Session 1957, p. 828, which provides a State scholarship program to promote the education of nurses; and to make an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Skidmore, Leonard, McCarley, Giles, Givhan, Branyon, Radney and McDermott:

S. 94. To amend Sections 3 and 4, of Act No. 590, H. 138, Acts of Alabama, Regular Session 1957, p. 827, which provides a State scholarship program to promote the education of Negro nurses; and to make an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Skidmore and Leonard:

S. 95. To prohibit certain operations in proximity to high voltage electrical power lines and prescribe the punishment therefor.

Committee on Judiciary.

By Mr. Givhan:

S. 96. To amend Section 11 of Act No. 100 (S. 68), Regular Session of the Legislature of 1959, approved June 24, 1959, General Acts of 1959, an act relating to the Board of Dental Examiners of Alabama.

Committee on Public Health.

By Mr. Clark:

S. 97. To provide further for the appointment and compensation of deputies and assistants of the sheriff of Barbour County and repeal conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the appointment and compensation of deputies and assistants of the sheriff of Barbour County and repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Barbour County may appoint four deputies in addition to the chief deputy, one of whom shall be based or stationed at Eufaula. The compensation of each of such deputies shall be fixed by the sheriff at an amount not exceeding \$3,600 per annum, provided the deputy based at Eufaula may be paid an amount not exceeding \$4,800 per annum. The salaries of such deputies shall be payable from the treasury of Barbour County in equal monthly installments, and may be paid in whole or in part from the general funds of the county or the public highway and traffic fund, as the governing body of the county may direct.

Section 2. The sheriff of Barbour County may also appoint or employ two jailers whose compensation shall be paid from the county treasury. The salary of each of such jailers shall be fixed by the sheriff at an amount not exceeding \$240 a month.

Section 3. The sheriff of Barbour County is also authorized to employ a clerk in his office whose principal duty it shall be to process and handle papers and documents in traffic control cases. The compensation of the clerk shall be fixed by the sheriff at an amount not exceeding \$250 a month, which salary shall be paid in whole or in part from the public highway and traffic fund or the general fund of the county.

Section 4. This Act supersedes Act No. 255, S. 317, Regular Session 1951 (Acts 1951, v. 1, p. 537), Act No. 65, H. 97, 2d Special Session 1959 (Acts 1959, p. 232), Act No. 524, S.355, Regular Session 1961 (Acts 1961, p. 624), Act No. 447, H. 936, Regular Session 1959, (Acts 1959, p. 1141), and Act No. 59, S. 360, Regular Session 1963 (Acts 1963, p. 437), all of which are hereby expressly repealed.

Section 5. This Act shall take effect on the first of the month next following the date of its enactment.

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, Yvonne W. Howard, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice Notice ATTACHED was published in said newspaper Four (4) times, the same appearing in the issues dated: March 23-30, April 6-13, 1967.

JOEL P. SMITH.

Sworn to and subscribed before me this the 8th day of May, 1967.

YVONNE W. HOWARD,
Notary Public, Barbour Co., Ala.

By Mr. Radney:

S. 98. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Committee on Judiciary.

By Messrs. Engel, McDermott and Pelham:

S. 99. To authorize, provide for and regulate the reimbursement out of the state treasury of certain of the expenses incurred by judges of Alabama courts in attending and participating in the National College of State Trial Judges of Reno, Nevada; and to make a continuing appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Engel, Pelham and McDermott:

S. 100. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 101. To amend further Section 5 of Act No. 704, H. B. 475, Regular Session 1951, the act known as the Motor Vehicle Safety-Responsibility Act.

Committee on Judiciary.

By Mr. Radney:

S. 102. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Committee on Finance and Taxation.

By Messrs. Bailes, Childs, Morrow, Hawkins, Vacca and Gilmore:

S. 103. To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such officer, and to prescribe further the authority, power and duties of such office, and to further provide for such office and the duties, authority and compensation for such office.

Committee on Local Legislation No. 2.

By Messrs. McCarley and Carr:

S. 104. To make it unlawful to throw lighted matches, cigarettes, cigars, or other burning material on the highways, roads and railroad rights of way of this State; to make it unlawful to discard or throw lighted matches, cigarettes, cigars, or other burning material on forest lands, grass lands, or farm lands, on which crops are growing, of this State; and, to provide a penalty therefor.

Committee on Public Roads and Highways.

By Mr. Cooper:

S. 105. To amend Section 1 of Act No. 208, Acts of Alabama, Special Session 1966, approved August 26, 1966, entitled "An Act To authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Brown, Culver, Kilgore and Dill:

H. J. R. 18. WHEREAS the University of Alabama's A-Day celebration on May 5, 1967 was designated "Coach Hank Crisp Day" in honor of one of that institution's most beloved and effective coaches who was

rounding out forty years of service as a member of the athletic department; and

WHEREAS the half-time festivities at the famed A-Day football game, at which Coach Bear Bryant was master of ceremonies, were devoted to Coach Hank Crisp who has been largely responsible for the University's athletic prowess for the better part of a half century; and

WHEREAS Coach Crisp has served in almost every capacity as a member of the University's athletic department. As track coach, he consistently turned out successful performers; his baseball teams were notable; his enviable record as basketball coach shows 266 wins compared with 129 losses. He served under five football coaches, several of whom were the nation's best and has worked closely with Coach Bryant during the Crimson Tide's nine year winning streak. His unusual abilities in building the defense in football teams made him feared and respected by his opponents. Coach Crisp was at one time athletic director and more recently head of men's intramural sports; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend Coach Hank Crisp upon his long and successful career in the field of athletics, and wish for him many years of happiness and continued success in all his undertakings.

RESOLVED FURTHER That a copy of this resolution be sent to Coach Crisp and to the University of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 18, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cherner:

H. J. R. 17. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature notes with gratification that Her Excellency, Governor Lurleen B. Wallace, has proclaimed the month of October 1967 as DANNY THOMAS TEENAGERS MARCH MONTH in Alabama, and has urged all citizens of this State, all schools, churches, business establishments, and all scientific, social and fraternal organizations in this State to give their support and cooperation to this drive—a drive designed to raise funds for the only research center in America doing basic and clinical research into the catastrophic diseases of children, such as childhood leukemia, cancer, muscle disorders and other child killers, St. Jude's Children's Research Hospital in Memphis, Tennessee. More than ninety percent of all funds raised by this drive will be devoted directly to research designed to determine the causes, and develop cures for many of the dread childhood diseases which currently claim the lives of many thousands of American children each year and to provide much needed treatment for children suffering from such diseases.

BE IT FURTHER RESOLVED That the Legislature joins Governor Wallace in commending this program and urging the people of Alabama to make as generous contributions to St. Jude's Children's Research Hospital in Memphis, Tennessee as they can afford, not only during this drive, but whenever they can, for the research and treatment programs carried on there are continuing programs which must be financed throughout the whole twelve months of the year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 17, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jackson (Jefferson):

H. J. R. 16. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we note with deep regret the sudden death of Mr. Paul Hampton, Birmingham airport manager. Mr. Hampton, a prominent figure in aviation circles, spent most of his life in air-affiliated organizations and was a veteran of the Air Force in World War II, in Korea, and the Berlin Crisis. He filled a distinguished place in civic and patriotic affairs, and his passing will be a grievous loss to his community. We extend sincere sympathy to the surviving widow and family of Mr. Hampton, to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 16, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Downing, Edington, Smith, Adwell, Agee, Bassett, Berryman (R), Bowers, Brannan, Brassell, Brown, Burgreen, Collier, Collins (C), Crane, Culver, Dobbs, Doss, Ellis, Fine, Fite, Foshee, Gloor, Graham, Hardin, Harper, Harris, Haygood, Headley, Hill, Holman, House, Jackson (F), Jackson (T), Kilgore, Laxson, Lemley, Lybrand, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, Melton, Merrill, Money, Owen (Baldwin), Owens (W), Shumate, Snell, Springer, Stubbs, Tuck, Turnham, Williams, Wood, Yeilding and Young:

H. J. R. 14. WHEREAS, the full development and utilization of Alabama's abundance of water resources is of prime interest and con-

cern of all Alabamians and an invaluable aid in the industrial and economic development of the state; and

WHEREAS, Colonel Robert C. Marshall, District Engineer, Mobile District, U. S. Army Corps of Engineers has through his dedicated leadership, sincere interest, impartial judgment, engineering skill, and kind patience contributed tremendously to the development of Alabama's water resources not only during his three years as District Engineer but in his previous assignment as Assistant Director of Civil Works for the South Atlantic Division in the office of Chief of Engineers in Washington where he was closely associated with all civil works projects in Alabama; and

WHEREAS, as District Engineer at Mobile, Colonel Marshall has been in charge of a program estimated to cost more than \$160 million in fiscal year 1965, which included military, civil works and space engineering and construction, and his responsibilities consist of design, engineering, construction and real estate activities for the Army and Air Force in Mississippi, Alabama, Tennessee and northwest Florida; for Federal waterways improvements in major portions of Mississippi, Alabama, Georgia, and Florida; and for design and construction of rocket testing facilities for the National Aeronautics and Space Administration at Marshall Space Flight Center at Huntsville, Alabama, and Mississippi Test Facility in Hancock County, Mississippi, and

WHEREAS, Colonel Marshall has contributed immensely to the great navigation projects in Alabama including the Tennessee-Tombigbee Waterway, the Coosa-Alabama system, Warrior-Tombigbee, Chattahoochee River, Gulf Intracoastal Waterway, and the Port of Mobile, and

WHEREAS, Alabama and all its people owe a debt of gratitude to Colonel Marshall for his work helping this state develop its many and varied natural resources,

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, that this Legislature does salute, recognize, commend, and praise Colonel Robert C. Marshall for his fine accomplishments for the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Engel, the Rules were suspended and the Resolution, H. J. R. 14, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has elected the following as members of the Legislative Committee on Examiners of Public Accounts:

Messrs. Brannan, Cherner, Jones, McCorquodale and Springer.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has elected the following as members of the Legislative Council:

Messrs. Turnham, McLain, Smith (P), Watkins, Bank and Lybrand.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has elected the following as members of the Building Commission:

Messrs. Hill, Meade, Pennington and Collins (W).

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Lolley, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lolley:

S. 49. Granting to minors not less than 15 years of age at nearest birthday the capacity to contract for annuities, endowments, life insurance and accident and sickness insurance on his own life or body or on the life or body of any person in whom such minor has an insurable interest; and providing that minors not less than 18 years of age at nearest birthday may give valid acquittance, discharge and release for payment or payments under life insurance endowment and annuity contracts and accident and sickness insurance contracts not exceeding \$3,000 in any one year made by any one company.

By Mr. Lolley:

S. 50. To amend further the title and Sections 1, 2, 3 and 4 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, Page 549) as amended by Act 124, H. 223, Second Special Session 1965; (Acts of Alabama 1965, Page 172), and to amend Sections 6 and 7 of said Act entitled, "An act concerning gifts of securities, money and life insurance to minors and to make uniform the law with reference thereto", so as to provide for gifts of annuity contracts to minors under such act, to define "financial institution", to provide for the designation and appointment of a successor custodian, and for other purposes.

By Mr. Lolley:

S. 52. To amend Code of Alabama 1940, Title 28 Sections 68 and 70 relating to guarantee fund and deposits of insurance companies.

By Mr. Lolley:

S. 53. Relating to life and accident and sickness insurance, and providing that applications therefor may be made by the individual insured and certain others.

By Mr. Lolley:

S. 54. To amend Section 1 of Act 347 of the General Acts of Alabama 1947, now codified as Title 28, Section 246, Code of Alabama (1940) to provide that a mutual aid association, benefit or industrial company, shall have a minimum paid-in capital of fifty thousand dollars plus an additional surplus of seventy-five thousand dollars, and for other purposes.

By Mr. Lolley:

S. 55. To provide for the assignment of life insurance policies under certain circumstances even to those having no insurable interest.

By Mr. Givhan:

S. 24. To amend Act No. 132, H. 186, Regular Session 1945, an act to regulate the making and applying of rates for fire, inland marine, and all other kinds of insurance which fire insurance companies are authorized to write in this State (General Acts 1945, p. 133).

By Mr. Givhan:

S. 25. To amend Act No. 133, H. 187, Regular Session 1945, an act to regulate the making and applying of rates for casualty, surety, and all other kinds of insurance which casualty and surety insurance companies are authorized to write in this State (General Acts 1945, p. 145.)

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 16. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing an expense allowance for the circuit court clerk, and repealing conflicting laws.

By Mr. Givhan (With Notice and Proof):

S. 22. To amend Act No. 440, H. B. 967, Regular Session 1961, providing compensation for commissioners of The Selma Housing Authority for performance of certain duties.

By Mr. Lolley (With Notice and Proof):

S. 44. Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use of the city and of the county.

By Mr. Lolley (With Notice and Proof):

S. 45. Relating to Pike County; to provide further for the distribution of fines and forfeitures in certain cases.

By Mr. Lolley (With Notice and Proof):

S. 46. Relating to Pike County, relative to closing the office of officials in the courthouse on Saturday of each week.

By Mr. Lolley (With Notice and Proof):

S. 47. To amend Section 1 of Act No. 631, S. 538, Regular Session 1957 (Acts 1957, p. 948) an Act fixing the compensation and providing an expense allowance for members of the county governing body of Geneva County, so as to regulate further such compensation and allowances; and to repeal conflicting laws including Act No. 643, S. 590 and Act No. 727, H. 1247, Regular Session 1965 (Acts 1965, p. 1162 and p. 1333).

By Mr. Radney (with notice and proof):

S. 62. Relating to Tallapoosa County; further regulating the places of meetings of the board of registrars; and providing additional compensation for members of such board, to be paid out of county funds.

By Mr. Radney:

S. 63. To provide an expense allowance for county solicitors of of counties having a population of not less than 34,000 nor more than 35,500, according to the last or any subsequent Federal decennial census.

Mr. Vacca, Chairman of the Standing Committee on Printing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pierce, Goodwyn, Vacca and McDermott:

S. 43. To provide time off duty for state employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members.

RESOLUTIONS

Mr. Radney offered the following Senate Resolution, to-wit:

S. R. 3. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That this body marks with deepest regret the death of Lieutenant Joseph Robert Mitchell, Junior, United States Marine Corps, a native of Alexander City, Tallapoosa County, who was killed by enemy fire in the Battle for Hill No. 881 in South Vietnam on Sunday, April 30, 1967. Lieutenant Mitchell was a distinguished graduate of Marion Military Institute and of Auburn University. He is survived by his parents, his wife, and a little child, to whom our immeasurable sympathy is extended.

On motion of Mr. Radney, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Resolution, to-wit:

By Mr. Cooper:

S. R. 4. RESOLVED BY THE SENATE that when the Senate adjourns today it adjourn to meet again on Wednesday, May 10, and when it adjourns on Wednesday, May 10, it adjourn to meet again on Thursday, May 11.

Which was read and referred to the Standing Committee on Rules.

Mr. Turner offered the following Senate Resolution, to-wit:

S. R. 5. BE IT RESOLVED BY THE SENATE OF ALABAMA, that the Assistant Secretary of Senate shall be compensated by an additional \$5.00 per day for assuming additional duties previously assigned to the

chief clerk, provided said Assistant Secretary shall have served continuously for a period of five years as said Assistant Secretary, and prior to being elected Assistant Secretary, shall have served continuously for a period of twenty years as Second Assistant Secretary of Senate.

BE IT FURTHER RESOLVED BY THE SENATE OF ALABAMA, that said Assistant Secretary shall serve at the same rate of pay during Legislative Sessions and after the adjournment of same, for such period as needed by the Secretary of the Senate.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 65. To provide additional exemptions from the Marion County sales and use tax law.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide additional exemptions from the Marion County sales and use tax law.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be exempted from the Marion County sales and use taxes levied, assessed, or imposed by Act No. 115, H. 409, Regular Session 1949 (Acts of Alabama 1949, p. 139) the gross proceeds of the sale of, and the storage, use, or consumption of ammonium nitrate used for blasting in the coal mine industry, which exemptions shall be in addition to all other exemptions prescribed in or provided for by said Act No. 115, H. 409, Regular Session 1949, as amended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 17, March 24, March 31, and April 7, all in the year 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me April 27, 1967.

BRENDA S. HICKS,
Notary Public,
State of Alabama at Large.

Also:

By Mr. Fite:

H. 66. Relating to Marion County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Marion County shall have authority to appropriate and use such sums from the general funds of the county not otherwise appropriated, and to designate and use such county property, buildings, and facilities, as may be necessary to enable the county or any economic action committee, board or group formed in Marion County under Public Law 88-452, approved by Congress on August 20, 1964, known as the Economic Opportunity Act of 1964 and approved by the Office of Economic Opportunity, to participate in programs and receive benefits and funds provided for and made available by and from the federal government under said Public Law 88-452, when such county governing body, in its discretion, considers such action to be in the best interests of the county. It is specifically provided that the authority hereinabove granted shall include the authority to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to any non-profit community action committee, board and

group heretofore or hereafter formed in Marion County under the said Economic Opportunity Act of 1964, and approved by the Office of Economic Opportunity. Provided, however, that such sums and such property, buildings, and facilities shall not be appropriated, designated, or used in any manner which conflicts with the Constitution of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 21, March 28, April 4, and April 11, all in the year 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me April 27, 1967.

BRENDA S. HICKS,
Notary Public,
State of Alabama at Large.

Also:

By Mr. Fite:

H. 67. To repeal Act No. 93, H. 348, Regular Session 1965, entitled "An Act Relating to counties having populations of not less than 14,400 nor more than 14,900 according to the most recent federal decennial census; regulating further the operation of public schools in such counties, prescribing the retirement age for teachers in such schools."

Also:

By Mr. Bassett:

H. 90. Relating to Pike County, providing for closing the offices of officials in the courthouse one full day each week.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County, relative to closing the office of officials in the courthouse on Saturday of each week.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Pike County may, by resolution, authorize all of the offices of the officials in the county courthouse to close all day on Saturday of each week.

Section 2. All laws in conflict with this Act are, to the extent of such conflict, hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF PIKE

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Elaine Carmichael, who being sworn deposes and says on oath, that she is the Mg. Ed. of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice An Act-Closing Court House on Saturdays was published in said newspaper 4 times, the same appearing in the issues dated: March 9, 16, 23, 30.

ELAINE CARMICHAEL,
Mg. Ed.

Sworn to and subscribed before me this the 24 day of April 1967.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

Also:

By Mr. Bassett:

H. 91. Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use of the city and of the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each

establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use city and of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate authorities of any city in Pike County, and the Court of County Commissioners of Pike County, may establish within the city, or within the county, ambulance service for the reception and conveyance of the sick, infirm or injured, and may make all needful rules and regulation for the control and management thereof. The corporate authorities of any city or cities within the county and the Court of County Commissioners may unite in the establishment of such ambulance service if deemed expedient, making it common for the use of the city and of the county, and in the making of rules and regulations for the control and management thereof, and shall jointly have the same powers and authority above conferred upon each.

Section 2. The governing body of any such city or the county may make an appropriation or appropriations out of their respective treasuries to aid in maintaining such service for the benefit of the public. Any ambulance service established under the provisions of this Act may pick up or discharge patients beyond the boundaries of the city or county.

Section 3. All laws and parts of laws in conflict with the provisions hereof are, to the extent of such conflict, repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF PIKE

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Business Manager of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice An Act-ambulance service was published in said newspaper 4 times, the same appearing in the issues dated: March 9, 16, 23, 30.

M. F. BOISCLAIR,
Bus. Mgr.

Sworn to and subscribed before me this the 24 day of April 1967.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

Also:

By Mr. Bassett:

H. 92. Relating to Pike County; to provide further for the distribution of fines and forfeitures in certain cases.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Reating to Pike County; to provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction, other than municipal courts, within Pike County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid to the general fund of Pike County and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are, to the extent of such conflict, repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF PIKE

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Elaine Carmichael, who being sworn deposes and says on oath, that she is the Mg. Ed. of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice An Act-Fines & Forfeitures was published in said newspaper 4 times, the same appearing in the issues dated: March 9, 16, 23, 30.

ELAINE CARMICHAEL,
Mg. Ed.

Sworn to and subscribed before me this the 24 day of April 1967.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

Also:

By Messrs. Shumate and Dobbs:

H. 98. Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

"In addition to any taxes now authorized or that may be hereafter authorized by the Constitution and laws of Alabama, the governing body of Walker County shall levy and cause to be collected annually a special district tax, not exceeding 50 cents on each 100 dollars assessed valuation of taxable property in District Two of Walker County, Alabama, to be used exclusively for public hospital purposes (as the term 'public hospital purposes' is defined in Amendment LXXVI to the Constitution proposed by Acts of 1949, Page 897, submitted December 13, 1949, and proclaimed ratified December 21, 1949) within said District Two; provided that the time during which such tax is to continue and the purpose thereof shall have been first submitted to a vote of the qualified electors in District Two of Walker County and voted for by a majority of such electors voting at such election. The governing body of Walker County may call an election at any time, and it shall be the duty of such governing body to call an election to be held within ninety days after receipt by it of a petition signed by not less than 5% of the qualified electors of said District Two, requesting that such election be called. The governing body may call such election to be held at the same time that this amendment is submitted to the electors of the State for ratification and such election shall be effective to require the levy and collection of such tax in the event that this amendment shall be ratified. The notice of such election, ballots to be used at such election and procedures for holding and determining the results of such election shall be prescribed by the governing body of Walker County. No election shall be held hereunder within one year from the date of the last election so held.

"Whenever such tax shall have been authorized by vote of such qualified electors, and levied by the governing body of Walker County, such governing body may anticipate the proceeds therefrom for any one or more of the purposes for which the tax shall have been voted, by issuing, without further election, interest bearing tax anticipation bonds, warrants, or certificates of indebtedness of said county payable solely from and secured by a pledge of a sufficient amount of the annual proceeds from said tax received by the county.

"The governing body of Walker County shall have power to designate as the agency of the county, to construct, acquire, equip, operate and maintain public hospital facilities for said District Two, any public corporation heretofore or hereafter organized for hospital purposes in the county. When a public corporation shall have been so designated, the proceeds of said tax thereafter collected shall be paid to it and shall be used by it for any one or more of the purposes for which the tax shall have been voted; provided, that payments of the proceeds of said tax to said public corporation shall be made only to such extent as will not result in the impairment of the obligation of any contract theretofore

made with respect to said tax. Said public corporation may anticipate the proceeds from said tax so required to be paid to it by issuing, for any one or more of the purposes for which the tax shall have been voted, the bonds, warrants, or certificates of indebtedness of said corporation, and may pledge for the payment of the principal thereof and interest thereon, a sufficient amount of the annual proceeds from said tax so paid to it.

"No securities issued or contracts made by Walker County under the authority of this amendment, which are payable solely out of the proceeds of said tax, and no securities issued or contracts made by any such public corporation, whether or not issued or made under the authority of this amendment, shall be construed to be bonds of Walker County or of a political subdivision thereof within the meaning of Section 222 of the Constitution, or construed to create or constitute an indebtedness of the county within the meaning of Section 224 of the Constitution. Said securities shall be construed to be negotiable instruments notwithstanding the fact that they may be payable solely from a limited source. All pledges of said tax and all contracts made with respect thereto pursuant to the provisions of this amendment shall take precedence in the order in which they are made and shall create a charge on the proceeds of said tax prior to the expenses of operating and maintaining any public hospital facilities.

"District Two of Walker County herein referred to is the commissioner's District Two now established in Walker County as authorized by law."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjourn- of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940, as amended.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspapers is published, a copy of the notice shall be posted at each courthouse and post office.

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Name-ly: March 20, 1967 March 27, 1967 April 3, 1967 April 10, 1967.

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 10 day of April, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Shumate and Dobbs:

H. 99. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

Also:

By Messrs. Dobbs and Shumate:

H. 100. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Be It Enacted by the Legislature of Alabama:

Section (1) The county comptroller or treasurer of Walker County shall be entitled to six hundred dollars (\$600) per annum for expenses incurred in the operation of this office payable monthly out of the general funds of the county in equal monthly installments.

Section (2) This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: March 20, 1967 March 27, 1967 April 3, 1967 April 10, 1967.

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 10 day of April, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Shumate and Dobbs:

H. 101. To provide an expense allowance for the judges of all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, such allowances to be paid out of the general fund of the respective counties.

Also:

By Messrs. Shumate and Dobbs:

H. 102. To prescribe the salary of the clerks for all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Also:

By Messrs. Beck and Meade:

H. 70. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

Also:

By Messrs. Pennington, Drake and Snodgrass:

H. 64. To provide for the deposit of money of the state in state depositaries in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 65, 66, 67, 90, 91, 98, 99, 100, 101, 102 and 70. To the Committee on Local Legislation No. 1

H. B. 92. To the Committee on Finance and Taxation

H. B. 64. To the Committee on Banking

(The above numbered Bill, H. B. 98, was read at length as required by the Constitution.)

BILLS ON THIRD READING

The Bill:

S. 29. To amend Section 119 of Title 48, Code of Alabama of 1940, so as to state specifically that a transportation company which charges

more compensation for transporting logs of any length to a pulp or paper mill than it charges for transporting such logs to a sawmill or other wood converting mill shall be deemed guilty of unjust discrimination.

was taken up.

Mr. Cooper offered the following amendment to the Bill, S. B. 29, to-wit:

AMENDMENT TO SENATE BILL 29

Amend the title to read as follows:

"To amend Section 119 of Title 48, Code of Alabama 1940, so as to state specifically that a transportation company which charges greater or less compensation for any service rendered or to be rendered by it for or in connection with the transportation of logs of any length to a pulp or paper mill than it charges for a like service to a sawmill, lumber mill or plywood mill shall be deemed guilty of unjust discrimination."

Amend the last sentence in Section 1 to read as follows:

"If any such transportation company shall charge, demand, collect or receive from any person, firm, company or corporation a greater or less compensation for any service rendered or to be rendered by it for or in connection with the transportation of logs of any length to a pulp or paper mill in this state than it charges, demands, collects or receives from a sawmill, lumber mill or plywood mill in this state for a like service shall be guilty of unjust discrimination within the meaning of this section."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Engel	Jackson	Radney	
Bailes	Folsom	Leonard	Skidmore	
Branyon	Giles	Lindsey	Stone	
Carr	Gilmore	Lolley	Torbert	
Childs	Givhan	McCarley	Turner	
Clark	Goodwyn	McDermott	Vacca	
Cooper	Harris	Morrow		—30

Nays:

—0

On motion of Mr. Cooper, further consideration of the Bill, S. B. 29, as amended, was postponed until the next Legislative Day without losing its place on the Calendar.

ELECTION OF MEMBERS TO LEGISLATIVE COMMITTEE ON EXAMINERS OF PUBLIC ACCOUNTS

The Senate proceeded to the election of Senate members to the Legislative Committee on Examiners of Public Accounts.

Mr. Goodwyn placed in nomination the name of Mr. Folsom.

Mr. Morrow placed in nomination the name of Mr. Vacca.

Mr. Pierce placed in nomination the name of Mr. Branyon.

Mr. Cooper placed in nomination the name of Mr. Lindsey.

Mr. McCarley placed in nomination the name of Mr. Leonard.

On motion of Mr. Adams, nominations were closed.

And said above named were elected unanimously as Senate members on the Legislative Committee on Examiners of Public Accounts.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Leonard	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

And the President and Presiding Officer of the Senate announced that Messrs. Folsom, Vacca, Branyon, Lindsey and Leonard were duly elected as members on the Legislative Committee on Examiners of Public Accounts.

ELECTION OF MEMBERS TO LEGISLATIVE COUNCIL

The Senate proceeded to the election of Senate members to the Legislative Council.

Mr. Lindsey placed in nomination the name of Mr. Radney.

Mr. Engel placed in nomination the name of Mr. Torbert.

Mr. Pelham placed in nomination the name of Mr. Harris.

Mr. Lolley placed in nomination the name of Mr. Engel.

On motion of Mr. Goodwyn, nominations were closed.

And said above named were elected unanimously as Senate members on the Legislative Council.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Leonard	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

And the President and Presiding Officer of the Senate announced that Messrs. Radney, Torbert, Harris and Engel were duly elected as members on the Legislative Council for the term prescribed by law.

ELECTION OF MEMBERS TO BUILDING COMMISSION

The Senate proceeded to the election of Senate members to the Building Commission.

Mr. Cooper placed in nomination the name of Mr. Lolley.

Mr. Torbert placed in nomination the name of Mr. Pierce.

Mr. Turner placed in nomination the name of Mr. Stone.

Mr. Folsom placed in nomination the name of Mr. Cooper.

On motion of Mr. Morrow, nominations were closed.

And said above named were elected unanimously as Senate members on the Building Commission.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins			—33

Nays:

—0

And the President and Presiding Officer of the Senate announced that Messrs. Lolley, Pierce, Stone and Cooper were duly elected as members on the Building Commission.

ADJOURNMENT

At 4:26 P. M., Mr. Cooper moved that the Senate adjourn until Wednesday, May 10, 1967, at 2 o'clock P. M.

Mr. Bailes moved as a substitute motion that the Senate adjourn until Wednesday, May 10, 1967, at 11 o'clock A. M., which motion was lost.

Yeas 8; Nays 19.

Yeas:

Messrs.:	Goodwyn	Morrow	Radney	
Bailes	Harris	Pierce	Vacca	
Childs				—8

Nays:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Folsom	Lindsey	Skidmore	
Albea	Giles	Lolley	Stone	
Branyon	Hawkins	McDermott	Torbert	
Cooper	Jackson	Oden	Turner	—19

The question then recurred on the motion offered by Mr. Cooper, and at 4:31 P. M., the Senate adjourned until Wednesday, May 10, 1967, at 2 o'clock P. M.

FOURTH LEGISLATIVE DAY

WEDNESDAY, MAY 10, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Joseph Underwood, Assistant Pastor, St. Bede's Catholic Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Cooper	Hawkins	Pelham
Adams	Dominick	Leonard	Pierce
Albea	Engel	Lindsey	Radney
Bailes	Folsom	Lolley	Skidmore
Branyon	Giles	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	Oden	Vacca

—31

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Gilmore, Jackson, McCarley and O'Bannon for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Nabors:

S. 106. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Committee on Constitution and
Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Nabors:

S. 107. Relating to elections; to change the dates for primary elections and for filing declarations of candidacy; to abolish statutory procedures for contesting primary elections and to authorize and direct the executive committees of political parties to provide by party rules for contesting such elections; to correlate other provisions of the election laws with these changes; and for these purposes amending Code of Alabama 1940, Title 17, Sections 106, 145, 340, 344, 348, 360, 373, 407 and 414 and repealing Sections 378 through 384, 386, 388, 389 and 391 of said title.

Committee on Privileges and Elections.

By Mr. Nabors:

S. 108. To amend further Code of Alabama 1940, Title 17, Section 114, which relates to the preservation of ballots and records of voting machines after an election.

Committee on Privileges and Elections.

By Mr. Dominick:

S. 109. Proposing an amendment to Section 83 of Article 4, Constitution of Alabama, providing for election by secret ballot of the speaker and speaker pro tem of the house, president pro tem of the senate and members of the legislative council, committee on examiners of public accounts and the state building commission.

Committee on Constitution and
Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Dominick:

S. 110. To repeal Act 19, Third Special Session, 1965, an Act establishing legislative agents, and any and all amendments thereto.

Committee on Counties and County Boundaries.

By Messrs. Radney and Pierce:

S. 111. To regulate further eligibility for public assistance.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Pierce:

S. 112. To create a Commission on Physical Fitness; to prescribe the powers, duties and authority of the commission and to provide for the selection, term, qualifications, powers, duties, authority and compensation of the members thereof; to provide for the appointment, duties, and compensation of an executive secretary and other employees of the commission.

Committee on Public Health.

MOTION IN WRITING

Mr. Cooper offered the following Motion in Writing, to-wit:

"MOTION IN WRITING"

"I move that when the Senate adjourns today, it adjourn to meet again on Thursday, May 11, at 2 o'clock P. M."

Mr. Radney offered a substitute motion that when the Senate adjourns today, it adjourn to meet again on Friday, May 12, 1967, at 2 o'clock P. M., which motion was lost.

Yeas 8; Nays 17.

Yeas:

Messrs.:	Folsom	Morrow	Radney	
Bailes	Hawkins	Oden	Vacca	
Dominick				—8

Nays:

Messrs.:	Cooper	Lolley	Pierce	
Adams	Engel	McDermott	Stone	
Branyon	Giles	Nabors	Torbert	
Carr	Givhan	Pelham	Turner	
Clark	Harris			—17

Mr. Radney offered a further substitute motion that when the Senate adjourns today it adjourn to meet again on Friday, May 12, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 9; Nays 21.

Yeas:

Messrs.:	Carr	Morrow	Pierce	
Bailes	Dominick	Oden	Radney	
Branyon	Hawkins			—9

Nays:

Messrs.:	Engel	Leonard	Skidmore	
Adams	Folsom	Lolley	Stone	
Albea	Giles	McDermott	Torbert	
Childs	Givhan	Nabors	Turner	
Clark	Goodwyn	Pelham	Vacca	
Cooper	Harris			—21

The question then recurred on the Motion in Writing offered by Mr. Cooper, which was adopted.

BILL RECALLED AND RE-REFERRED

On motion of Mr. Pierce, unanimous consent was given for the Bill, S. B. 112, to be recalled from the Standing Committee on Public Health.

Mr. Pierce then moved that said Bill, S. B. 112, be re-referred to the Standing Committee on Finance and Taxation, which motion was adopted, and said Bill, S. B. 112, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Nabors:

S. 2. Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Albea:

S. 10. To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority.

By Mr. Albea:

S. 15. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts in the several counties.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Albea:

S. 13. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts, the compensation of county officers, and the consolidation of county offices.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Albea:

S. 11. Proposing an amendment to the Constitution of Alabama relative to the holding of primary elections by political parties, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Albea:

S. 12. To amend Code of Alabama 1940, Title 17, Sections 336 and 339, which relate to primary elections held by political parties, so as to make such elections compulsory under certain conditions.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Nabors:

S. 7. To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county.

By Mr. Carr (with notice and proof):

S. 76. Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

By Mr. Branyon (with notice and proof):

S. 78. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

By Mr. Branyon (with notice and proof):

S. 79. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glen Allen in Fayette County.

By Mr. Clark (with notice and proof):

S. 97. To provide further for the appointment and compensation of deputies and assistants of the sheriff of Barbour County and repeal conflicting laws.

By Mr. Fite (with notice and proof):

H. 65. To provide additional exemptions from the Marion County sales and use tax law.

By Mr. Fite (with notice and proof):

H. 66. Relating to Marion County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

By Mr. Fite:

H. 67. To repeal Act No. 93, H. 348, Regular Session 1965, entitled "An Act Relating to counties having populations of not less than 14,400 nor more than 14,900 according to the most recent federal decennial census; regulating further the operation of public schools in such counties, prescribing the retirement age for teachers in such schools."

By Messrs. Beck and Meade:

H. 70. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

By Mr. Bassett (with notice and proof):

H. 90. Relating to Pike County, providing for closing the offices of officials in the courthouse one full day each week.

By Mr. Bassett (with notice and proof):

H. 91. Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use of the city and of the county.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 98. Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 100. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Mr. Vacca, Chairman of the Standing Committee on Printing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Vacca, Hawkins and Bailes:

S. 81. To designate Hematite as the official mineral of the State of Alabama.

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pennington, Drake and Snodgrass (with substitute):

H. 64. To provide for the deposit of money of the state in state depositaries in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

ADJOURNMENT

At 7:45 P. M., on motion of Mr. Adams, and in accordance with motion heretofore adopted, the Senate adjourned until Thursday, May 11, 1967, at 2 o'clock P. M.

FIFTH LEGISLATIVE DAY

THURSDAY, MAY 11, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Ralph R. Hendricks, Minister, Dalraida Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Hawkins	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	Oden	Vacca
Cooper			

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Leonard, Jackson and O'Bannon for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Stone:

S. 113. To authorize establishment and operation of branch banks and branch offices of banks in DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize establishment and operation of branch banks and branch offices of banks in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in DeKalb County may, with the written consent of the State Superintendent of Banks, open, establish, and operate one or more branch offices or branch banks for receipt of deposits, payment of checks, and conducting its business, anywhere within the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Ben M. Smith publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of March 21, 28, April 4, 11, 1967.

BEN M. SMITH,
Publisher.

Sworn to and subscribed before me this 21st day of April, 1967.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1969.

By Mr. Clark:

S. 114. To make an appropriation to the Board of Corrections for each of the fiscal years ending September 30, 1968 and September 30, 1969, out of moneys in the State Treasury not otherwise appropriated, of sums equal to the amounts that may be necessary to be paid by the said Board of Corrections under any lease that may be made by it with Alabama Corrections Institution Finance Authority covering any modern penal and correctional institutions and related facilities that may be constructed and equipped by the said Authority under the provisions of Act No. 678 adopted at the 1965 Regular Session of the Legislature, as amended.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 115. To prohibit the use of Interstate and limited Access highways by pedestrians, bicycles, motor driven cycles, animal drawn vehicles and persons riding animals.

Committee on Public Roads and Highways.

By Mr. Bailes:

S. 116. To provide that all motor vehicles entering an Interstate Highway or limited access highway shall yield the right-of-way to vehicles traveling upon such highway:

Committee on Public Roads and Highways.

By Mr. Bailes:

S. 117. To prohibit parking, stopping or standing on interstate and limited access highways.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 118. To revise and amend all of Section 58 (9) of Title 36, 1940 Code of Alabama, as Recompiled 1958.

Committee on Judiciary.

By Mr. Childs:

S. 119. To amend Section 58 (2) of Title 36, of the 1940 Code of Alabama (as amended).

Committee on Public Roads and Highways.

By Mr. Childs:

S. 120. To revise and amend Section 2 of Title 36 of the Code of Alabama of 1940, (as recompiled, 1958) as amended, all of which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs, or who are intoxicated.

Committee on Judiciary.

By Mr. Childs:

S. 121. To provide for the placement of tail lamps upon motor vehicles.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 122. To clarify the law of the State of Alabama, which has been confused and made indefinite by illegal actions of the members of the Supreme Court based on the so-called Fourteenth Amendment which was never ratified and is no part of the Constitution of the United States.

Committee on Judiciary.

By Mr. Childs:

S. 123. To revise and amend Section 128 of Title 36 of the Code of Alabama, 1940, relating to the duties of the driver of a vehicle involved in an accident resulting in personal injury or death or damage to vehicle.

Committee on Judiciary.

By Mr. Childs:

S. 124. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Committee on Public Roads and Highways.

By Mr. Engel:

S. 125. Relating to motor vehicles, requiring that seat safety belts and anchors sold or installed for use in connection with the operation of motor vehicles on any highway in this state meet specifications prescribed by the Department of Public Safety; and prescribing penalties for violation of this Act.

Committee on Judiciary.

By Mr. Engel:

S. 126. Proposing an amendment to the Constitution of Alabama authorizing each county and municipality of the State to levy and collect additional property taxes for library purposes.

Committee on Constitution and
Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Engel:

S. 127. To prohibit the riding of passengers in trailers or semi-trailers, or the outside of any motor vehicle.

Committee on Public Roads and Highways.

By Mr. Engel:

S. 128. To revise and amend Section 35 of Title 36 of the Code of Alabama (1940) relating to the brakes of motor vehicles.

Committee on Public Roads and Highways.

By Mr. Cooper:

S. 129. To revise and amend Section 58 (34) of Title 36 of the Code of Alabama (1940), relating to the safety glazing material in motor vehicles.

Committee on Aviation and Traffic.

By Mr. Radney (by request):

S. 130. To repeal Section 67 (1) of Title 36 of the Code of Alabama, 1940, as amended.

Committee on Judiciary.

By Mr. Radney (by request):

S. 131. To repeal Section 5(4) of Title 36, Code of Alabama (1940) as amended.

Committee on Judiciary.

RESOLUTIONS

Messrs. Cooper, Bailes, Gilmore, Engel, Radney, Hawkins, Folsom, Vacca, Nabors, Torbert, Childs, Branyon and McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That Mr. Orville F. Rush, prominent attorney of Washington, D. C., graduate of the University of Alabama, native of Bessemer, Alabama, and Imperial Potentate of the Ancient Arabic Order of Nobles

of the Mystic Shrine of North America which is a Masonic Order consisting of 850,000 members throughout the United States, Mexico and Canada is cordially invited to address a joint session of the two houses on Friday, June 23, 1967 at eleven o'clock in the morning, on the subject of the Shrine's crippled children's hospitals and burns institutes program.

On motion of Mr. Bailes, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Clark offered the following Senate Resolution, to-wit:

S. R. 7. WHEREAS, the regulation of consumer credit transactions has traditionally been a responsibility of state government and,

WHEREAS, the National Administration through the U. S. Congress has proposed legislation to take over control of yet another state responsibility and,

WHEREAS, this legislation would create a dangerous preemption of States Rights and a furthering of Federal bureaucratic control of every individual and private enterprise and,

WHEREAS, such time honored organizations as the National Chamber of Commerce, the American Bar Association, the American Bankers' Association and the National Conference of Commissioners on Uniform Laws, which has done a great deal of research and study in this area, have all agreed that until all reasonable opportunities by the states to solve consumer problems have been tried that Federal intervention in this field is indefensible.

NOW THEREFORE BE IT RESOLVED, that the Senate of Alabama resents further Federal infringement upon the time honored rights of the States and pledges itself to resist the irresponsible use of power by the central government and,

BE IT FURTHER RESOLVED, that the Senate of Alabama believes that the regulation of all types of consumer credit transactions is a matter to be controlled by the respective states and,

BE IT FURTHER RESOLVED, that the Senate of Alabama opposes the enactment of any Federal law to regulate consumer credit transactions and,

THEREFORE BE IT FINALLY RESOLVED, that the Congress of the United States be memorialized to recognize the progress that is being made in the respective states in this field and refrain from further encroachment upon the rights and prerogatives of all state legislative bodies, and that the Secretary of the Senate direct a copy of this resolution to all members of the Congress of the United States from the State of Alabama.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. McDermott and Engel offered the following Senate Resolution, to-wit:

S. R. 8. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama are hereby requested to give this body their written opinions concerning the following important constitutional question which has arisen in connection with the pending bill, S. B. 58, a true copy of which is attached to this resolution and made a part hereof by reference:

Question: Do the provisions of this bill impinge on Article 4, Section 98 of the Constitution of Alabama, which prohibits the Legislature from retiring any officer on pay, or part pay, or making any grant to such retiring officer?

RESOLVED FURTHER, That the Secretary of the Senate is hereby directed to send forthwith four true copies of this resolution, together with four true copies of the pending bill, to the Clerk of the Supreme Court.

By Messrs. McDermott, Goodwyn and Pierce:

SENATE BILL 58

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 288, approved July 7, 1945, an act providing for appointment and designation of supernumerary circuit Judges (General Acts 1945, p. 478), as amended, is amended further to read as follows:

"Section 1. Any circuit judge of this State:

"(a) who has served continuously for fifteen years as circuit judge and/or circuit solicitor, and who has become physically unable to carry out his duties on a full time basis, proof of such disability being made by certificate of three reputable physicians; or

"(b) who has served continuously for fifteen years as circuit judge and/or circuit solicitor and who is not less than sixty-five years of age; or who has served as such continuously for more than fifteen years and has attained age 65 less one year for each year of service in excess of 15; or

"(c) who has served continuously for ten years as circuit judge and/or circuit solicitor and who is not less than seventy years of age; or

"(d) Who has served in that office and/or as Circuit Solicitor for not less than 24 years, or for not less than four terms, the last 10 years of such service having been continuous, may elect to become a supernumerary Circuit Judge of the State by filing a written declaration to that effect with the Governor at any time not more than 90 days prior to the end of the 24 year period;

"(e) Who has served continuously for not less than fifteen years as circuit judge and/or as judge of a court of record and who is not less than seventy years of age;

"(f) who has served continuously for not less than twenty years as a circuit judge; may elect to become a supernumerary circuit judge of the State by filing a written declaration to that effect with the Governor. If the Governor shall find that any such declarant qualified under either subdivision (a), (b), (c), (d), (e), or (f), hereinabove set forth, a commission as supernumerary circuit judge of the State of Alabama shall thereupon be issued to such declarant by the Governor. The office of Circuit Judge made vacant by the election of any such declarant shall be filled by appointment of the Governor as now provided by law. This section shall apply only to circuit judges who have been elected to that office.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Which was read and referred to the Standing Committee on Rules.

Messrs. Clark and Lolley offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the recent death of a colorful figure in Alabama politics, William Winfred Watson, better known to his host of friends and admirers as "Billy Watson." Though never the holder of a public office in this State, nor an applicant therefor, he wielded a mighty influence on Alabama politics from horse and buggy days to the time of his death. His interests and activities in politics were always designed to promote good government rather than personal aggrandizement. He campaigned and shared victory with many a successful candidate; but after the spotlight had shifted and the crowds were gone he was also there to sit in silent camaraderie with the once famous. He was a great story teller and his reputation for wit, wisdom and good fellowship spread far and wide. Mr. Watson was a native of Barbour County, who made a wide circle of friends while travelling from one end of Alabama to the other as a salesman. He was a close personal friend and admirer of and campaigner for Governors Chauncey Sparks, George Wallace and Lurleen Wallace, all of whom depended on him for wise counselling, sage advice, witty comments and true friendship. Mr. Watson's presence at the Capitol will be sorely missed.

RESOLVED FURTHER, That the sincere sympathy of this body is extended to Mrs. Watson and the surviving members of Mr. Watson's family, to whom copies of this resolution shall be sent.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 64. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

was taken up.

The Standing Committee on Banking reported the following substitute for the Bill, H. B. 64, to-wit:

SUBSTITUTE FOR H. B. 64

A BILL TO BE ENTITLED AN ACT

To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide

for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; to prescribe penalties for violations of this Act; and to repeal inconsistent laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Treasurer may deposit the money of the state in any bank or trust company designated as a state depository according to law, so long as said bank or trust company agrees to pay interest on a portion of said money as provided herein.

Section 2. As much money as may be needed for current operational purposes of the state government, as determined by the State Treasurer, with the approval of the Governor, shall be maintained at all times in the State Treasury in cash or in demand deposits with state depository banks. The State Treasurer shall apportion such demand deposits among state depositories, giving due consideration to the activities of the various accounts maintained therein, the reasonable value of the banking services rendered or to be rendered the state by depository banks and to the value and importance of such deposits to the economy of the communities and the various areas of the state to be affected thereby. The State Treasurer shall also take into consideration the reserve requirements prescribed by law relative to demand deposits and time deposits.

Section 3. The State Treasurer shall place such state funds as are not needed for immediate operational purposes within a sixty-day period on time deposit, open account. If operational obligations permit, the amount placed on time deposit, open account in any state depository shall be substantially equal to the amount maintained therein in net collected balances on demand deposit during the preceding thirty days, after deducting therefrom any amounts transmitted to or received by said depository in connection with its services and actions as paying agent for bonded indebtedness of the state, its agencies and instrumentalities.

Section 4. The State Treasurer is authorized to execute contracts with the state depositories covering time deposits, open account, provided that no funds may be withdrawn from said account except upon thirty-day notice in writing or for the minimum period of time prescribed by applicable banking regulations then in force and effect. The annual rate of interest on time deposits, open account shall be seventy-five per cent of the average for the most recent four weeks of the prices of the ninety-one day United States treasury bill auction, provided the rate shall not exceed the maximum permitted by applicable banking regulations.

Section 5. Interest shall be calculated on the basis of the contracts existing with respect to time deposits, open account and shall be payable quarterly to the State Treasurer and by that officer paid into the State Treasury to the credit of the General Fund of the State. In the event of an emergency, the Treasurer is authorized to comply with applicable banking regulations in order to receive all or any portion of the funds placed on time deposits, open account on shorter notice than the agreement provides and to forfeit such amount of accrued and unpaid interest as may be required by such regulations.

Section 6. All State money deposited in State Depositories in demand accounts and time deposit, open account shall be secured as required by Title 5, Section 119, as amended, and Title 55, Section 379, et seq., Alabama Code 1940; provided, however, that for amounts deposited

in time deposit, open accounts and in demand accounts there may also be accepted as security for said deposits bonds and other securities issued by any agency or instrumentality of the United States of America; and any general obligation bonds or securities of any of the various states of the continental United States or any of their instrumentalities which have a rating of "A" or better by Moody's Investors Rating Services, Inc., New York City, or any successor firm to that corporation. Also, any general obligation bonds or warrants of any county or any municipality of the State of Alabama; also, warrants or securities of any county secured by a pledge of the special road, bridge and public building tax authorized by Article 11, Section 215 of the Constitution; also, bonds or warrants of any county or city board of education secured by a pledge of taxes levied under the authority of Constitutional Amendment III or any other constitutional amendment authorizing the levying of special ad valorem taxes for schools, or secured by a pledge of county or city sales taxes; also, any gasoline tax anticipation warrants secured by a pledge of gasoline tax revenues derived from the gasoline excise tax levied by the State and distributed to counties under Code 1940, Title 51, Section 655 or 657, as amended or under any law that may be enacted by the Legislature of Alabama in the event of the repeal of the said code section; also, electric, natural gas, sewer, and water revenue bonds issued by any municipality of the State of Alabama or any board created by or with the consent of any such municipality. To be eligible to secure state deposits, revenue or limited obligation bonds or warrants must have a current average annual debt service coverage of at least two times. No security shall be required for the amount of any deposit or account to the extent said deposit or account is insured by Federal Deposit Insurance Corporation. The State Treasurer is authorized to disapprove any security offered or pledged as collateral.

Section 7. Any person who knowingly demands or receives any fee, compensation or reward or who demands or accepts directly or indirectly as payment or gift, or otherwise, any sum of money or other thing of value as an inducement or in return for the placement of any funds or for assistance either directly or indirectly in securing the placement of any monies of the State of Alabama in time deposit open accounts, demand accounts or otherwise, shall be guilty of a misdemeanor, and upon conviction shall be imprisoned for not more than twelve months or fined not more than \$500, or both, and in the event the person convicted is an officer, agent or employee of the State of Alabama he shall be dismissed from office or discharged from employment.

Section 8. Nothing herein contained shall be construed to modify, amend or repeal the provisions of Act No. 66, General Acts of Alabama, 1945, relating to investment in direct obligations of the United States of America registered in the name of the State Treasurer. All other laws or parts of laws in conflict herewith are hereby repealed.

Section 9. The provisions of this Act shall not apply to funds subject to withdrawal by a state official, state department or state agency other than the State Treasurer.

Section 10. This Act shall become effective on the first day of August, 1967.

Mr. Radney offered the following amendment to the pending Committee substitute for the Bill, H. B. 64, to-wit:

AMENDMENT TO H. B. 64, AS SUBSTITUTE

In the first sentence of Section 2, strike out the words and figures "with the approval of the Governor,".

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 28; Nays 3.

Yeas:

Messrs.:	Cooper	Hawkins	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Skidmore
Bailes	Gilmore	McDermott	Stone
Branyon	Givhan	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Childs	Harris	Oden	Vacca
Clark			

—28

Nays: Messrs.: Dominick, McCarley, Radney —3

Mr. McCarley offered the following amendment to the pending Committee substitute for the Bill, H. B. 64, to-wit:

AMENDMENT TO H. B. 64, AS SUBSTITUTED

Amend H. B. 64 (substitute) as follows in section 2, line three; strike the words "with the approval" and substitute instead the following words "under the direction."

On motion of Mr. Torbert, said amendment was laid on the table.

Mr. Nabors offered the following amendment to the pending Committee substitute for the Bill, H. B. 64, to-wit:

AMENDMENT TO H. B. 64, AS SUBSTITUTED

Delete Section 7, and insert in lieu thereof a new Section 7 to read as follows:

Any person who knowingly demands or receives any fee, compensation or reward or who demands or accepts directly or indirectly as payment or gift, or otherwise, any sum of money or other thing of value as an inducement or in return for the placement of any funds or for assistance either directly or indirectly in securing the placement of any monies of the State of Alabama in time deposit open accounts, demand accounts or otherwise, shall be guilty of a felony, and upon conviction shall be imprisoned for not more than three years or fined not more than \$3,000.00, or both, and in the event the person convicted is an officer, agent or employee of the State of Alabama he shall be dismissed from office or discharged from employment.

Which was adopted.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Clark	Harris	Oden
Adams	Cooper	Hawkins	Pelham
Albea	Dominick	Lindsey	Pierce
Bailes	Engel	McCarley	Radney
Branyon	Gilmore	McDermott	Torbert
Carr	Givhan	Morrow	Vacca
Childs	Goodwyn	Nabors	

—26

Nays:

Messrs.:	Lolley	Stone	Turner
Folsom	Skidmore		

—5

And said substitute, as thus amended, for the Bill, H. B. 64, was then adopted.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce	
Adams	Engel	Lolley	Radney	
Albea	Folsom	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Branyon	Givhan	Morrow	Torbert	
Carr	Goodwyn	Nabors	Turner	
Childs	Harris	Oden	Vacca	
Clark	Hawkins	Pelham		—30

Nay: Mr. Dominick —1

And said Bill, H. B. 64, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Pelham	
Adams	Dominick	Lindsey	Pierce	
Albea	Engel	Lolley	Radney	
Bailes	Folsom	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	Oden	Vacca	

—31

Nays: —0

RESOLUTIONS

Messrs. Cooper, Engel, Givhan, Lolley, Torbert, Bailes, Pierce, McCarley, Branyon, Clark, Nabors, Albea, Folsom, Harris, Gilmore, Oden, Hawkins and Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to the officers and members of Alabama Farm Bureau our warmest thanks and grateful appreciation for the delightful food and splendid entertainment provided the officers and members of the two houses and other guests of the Bureau at the excellent function held by the Bureau on Monday, May 8, last. The occasion was a most enjoyable one, delightful to all who attended.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Cooper, Carr, Skidmore, Folsom, Dominick, Morrow, Adams, Lolley, Givhan, Lindsey, Bailes, Torbert, Pierce, McCarley, Harris, Albea, Nabors, Branyon, Clark, Turner, Gilmore, Oden and Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to express our deep gratitude and appreciation to our genial hosts, the Mobile legislative delegation, for the most delightful and enjoyable seafood dinner which was sponsored by the Mobile Area Chamber of Commerce on the

evening of Tuesday, May 9, 1967. While these affairs are always anticipated with much pleasure because of the consistently fine cuisine and conviviality of the occasion, this particular dinner party was one of the best they ever had, and we warmly thank them for their most gracious hospitality.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Givhan, Cooper and Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. WHEREAS the Office of Economic Opportunity under the direction of Sargent Shriver has approved a grant of nearly \$400,000 to the Southwest Alabama Farm Co-op Association, a group of nearly 800 low income farm families, most of whom are negroes, which association was organized at the instigation and under the direction of civil rights worker, Shirley Mesher, a prime participant in the Black Panther movement in this area; and

WHEREAS this grant was made despite the strong objections of public officials in the ten county area which will be supposedly serviced by the association. These knowledgeable and responsible officials who are in the best position to know the needs and affairs of this area charge that while assistance is needed to raise the farm income level in these counties, other and more efficient means already exist through which such aid might be more effectively channeled. These officials headed by Selma Mayor Joe Smitherman and Dallas County Probate Judge Bernard Reynolds have further charged that large sums will be used for officials of the Southwest Alabama Farm Co-op Association, that little will be used to meet the needs of the individual farm families, and that in reality funds will be spent to finance the lawless Black Panther movement designed to overthrow the government of this country and particularly the governments of Southern states; and

WHEREAS in bypassing the reasonable and effective alternative plans offered by the public officials of the counties affected, Sargent Shriver admits that the Southwest Alabama Farm Co-op Association was organized with the aid and assistance of civil rights worker, Shirley Mesher, who he knows has been active in the Black Panther movement, but denies that she has any official connection with the Co-op Association at the present time, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is every reason to believe that the Southwest Alabama Farm Co-op Association has been granted funds for the specific purpose of promoting Black Power in Alabama, and not for raising the economic level of low income farm families who could be more effectively aided by other means. We deplore this further waste of federal funds and taxpayers' money. We condemn the motives of the OEO and those of its director, Mr. Shriver, who is but a weak tool of his brother-in-law, Bobby Kennedy, and we deem this unsolicited and unwanted grant to be nothing more than a cheap political move designed to blacken Alabama.

BE IT FURTHER RESOLVED, that each member of Alabama's delegation in the Congress of the United States, to whom copies of this resolution shall be sent, is hereby urgently requested to use every available means to have the grant to the Southwest Alabama Farm Co-op Association investigated and rescinded.

On motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Harris offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. WHEREAS, on Wednesday, May 10, 1967, an outstanding citizen of Hartselle, Morgan County, Alabama, Mr. John O. Burleson, departed this life after many years of honorable and faithful service to his community and to his fellowmen; and

WHEREAS, John O. Burleson was a highly respected member and leader of his community having served in various capacities of the administration of the City of Hartselle, including a term of service as the Mayor of that City;

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That we note with regret the passing of this devoted and outstanding public servant and citizen, and we extend our sincere sympathy to the surviving members of Mr. Burleson's family.

On motion of Mr. Harris, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Engel offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. WHEREAS, the Mobile Sertoma Club, a civic club chartered in Mobile, Alabama on April 30, 1955; has sponsored the Professional Bowling Association Tournament in Mobile for the fifth consecutive year; and

WHEREAS, the 1967 Tournament was held in Mobile on March 21 through March 25, 1967; and

WHEREAS, The finals of the tournament were held in the Mobile Municipal Auditorium where more than 4,000 spectators were in attendance and which were televised nationwide over the ABC-TV network; and

WHEREAS, More than 120 of the top professional bowlers of the nation participated in the Tournament and competed for more than \$40,000 in prizes; and

WHEREAS, Chris Shenkel, nationally famous TV Sports commentator, narrated the finals during which time the State of Alabama and the Mobile area received favorable nationwide publicity; and

WHEREAS, This tournament has brought thousands of bowlers and spectators to the Mobile area over the past five years which has resulted in many goodwill ambassadors promoting the Mobile area throughout the entire nation; and

WHEREAS, The unselfish efforts and civic pride of the Sertoma Club of Mobile are directly responsible for the promotion and successful staging of these tournaments, together with the wholehearted support of various agencies, as well as more than 120 business establishments in the Mobile area; and

WHEREAS, these tournaments have promoted interest in sports among the young and old alike and have contributed substantially in promoting tourism and goodwill.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of this body commend the Sertoma Club of Mobile for its untiring and unselfish efforts in undertaking and promoting these sports events.

BE IT FURTHER RESOLVED, That special thanks be given to Mr. John F. Sharp, president of the Mobile Sertoma Club, Mr. Rollin Broughton, General Chairman, Mr. Joseph J. Teague, Chairman of Tournament Committee and Mr. Hugh Tinnea, Chairman of tickets and seating arrangements.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mobile Sertoma Club and Messers John F. Sharp, Rollin Broughton, Joseph J. Teague and Hugh F. Tinnea.

On motion of Mr. Engel, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Nabors offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. To submit to a vote of the qualified electors of the state the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

1. On the same day of the first special election ordered by the legislature for the submission of a proposed amendment or amendments to the Constitution of this state held after the expiration of three months from the final adjournment of the 1967 Regular Session of the Legislature, or if no such election is held prior to the general election in 1968, then on the date of such general election, an election shall be held in the several counties of the state, for the purpose of determining whether or not a convention shall be held to revise and amend the Constitution of this state. At that election the question of convention or no convention shall be submitted to a vote of the qualified electors of this state, and if a majority of the voters voting at said election shall approve of the holding of a convention for the purpose stated, said convention shall be held as hereinafter provided.

2. The election shall be held and conducted and notice thereof given in all respects according to the provisions of Article 9 of Chapter 1, Title 17, Code of Alabama 1940. The expense of holding the election shall be paid, the returns canvassed, and the results thereof made known in the same manner and by the same officers as in regular elections of state officers. There shall be printed on the official ballots the question to be voted on followed by the words, "Yes" and "No," opposite one of which the voter may indicate his desires.

3. The convention shall consist of one hundred and six (106) delegates, to be elected in the same way that members of the House are elected. Any district which is entitled to only one representative in the House may elect only one delegate to the convention. Any district entitled to more than one representative in the House may elect the same number of delegates to the convention as it has representatives in the House; and the delegates' positions shall be numbered in the same manner that representatives' positions are numbered; and delegates shall be elected to such numbered positions. Every candidate to become a delegate from a district entitled to more than one delegate shall in his declaration of candidacy specify the number of the position for which he is a candidate. The delegates shall be elected at an election to be held in the several counties of the state on the same day as the election on the question of holding the convention provided for in 1 above.

4. In the event a majority of the electors voting at the election favor holding a constitutional convention, the convention shall be held in

the State Capitol. If the election on the question of holding the convention is held in 1967 then the convention shall commence at noon on the first Tuesday in May 1968. If the election is held in the year 1968 then the convention shall commence at noon on the first Tuesday in February 1970. The chief justice of the supreme court of Alabama shall call the convention to order and preside until a permanent convention chairman is elected; in the absence of the chief justice, the senior member of the supreme court shall act as temporary chairman. Upon convocation of the convention, the assembled delegates shall be sworn to uphold the Constitution and laws of the United States and to perform faithfully the duties of office. The convention shall be the sole judge of the election and qualifications of its members, and, when duly assembled in pursuance of the will of the people, shall have plenary jurisdiction and power to establish ordinances, to perform such acts and to do such things as to it may seem necessary or proper for revising, altering, or amending the existing Constitution. The convention shall remain in session until a revised Constitution of Alabama is framed and provision is made for its adoption or ratification.

5. Any person who is a qualified elector of the district for which he offers his candidacy may be elected delegate; no person shall be disqualified because he is the incumbent of a public office or an employee of the United States, the state, or any political subdivision of the state. Candidates for election may be independents or nominees of political parties nominated by primary election, mass meeting, caucus, or convention, as the governing authority of the party sponsoring the candidates may provide.

6. Officers of the convention, who may be such persons as the convention may select, shall receive the same compensation as corresponding officers of the Legislature and the delegates shall receive the same per diem, monthly expense allowance and mileage as members of the Legislature; payment of the same shall be made by warrants issued upon certificate of the presiding officer of the convention.

7. The convention shall be supplied by the state department of finance with clerical assistance, stationery, office supplies, books, statutes, reports, and such other materials as the convention may deem necessary.

Which was read and referred to the Standing Committee on Rules.

COMMITTEE APPOINTMENTS ANNOUNCED

Pursuant to the provisions of H. J. R. 77, Special Session 1967, the President and Presiding Officer of the Senate appointed as members on part of the Senate Messrs. Albea, Pelham and Radney.

BILLS ON THIRD READING RESUMED

The Bill:

S. 16. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing an expense allowance for the circuit court clerk, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Albea
Branyon

Carr
Childs
Clark

Cooper
Dominick
Giles

Gilmore
Givhan
Goodwyn

Harris	McCarley	Oden	Torbert	
Hawkins	McDermott	Skidmore	Turner	
Lindsey	Morrow	Stone	Vacca	
Lolley	Nabors			—25

Nays: —0

The Bill:

S. 22. To amend Act No. 440, H. B. 967, Regular Session 1961, providing compensation for commissioners of The Selma Housing Authority for performance of certain duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Giles	McDermott	Radney	
Bailes	Givhan	Morrow	Skidmore	
Branyon	Harris	Nabors	Stone	
Carr	Hawkins	Oden	Torbert	
Childs	Lindsey			—25

Nays: —0

The Bill:

S. 44. Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use of the city and of the county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce	
Adams	Engel	McDermott	Radney	
Albea	Folsom	Morrow	Stone	
Bailes	Giles	Nabors	Torbert	
Childs	Goodwyn	Oden	Turner	
Clark	Harris	Pelham	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

S. 45. Relating to Pike County; to provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce
Adams	Engel	McDermott	Radney
Albea	Folsom	Morrow	Skidmore
Bailes	Giles	Nabors	Torbert
Branyon	Gilmore	Oden	Turner
Clark	Givhan	Pelham	Vacca
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 46. Relating to Pike County, relative to closing the office of officials in the courthouse on Saturday of each week.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	Oden	Turner
Clark	Harris	Pierce	Vacca
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 47. To amend Section 1 of Act No. 631, S. 538, Regular Session 1957 (Acts 1957, p. 948) an Act fixing the compensation and providing an expense allowance for members of the county governing body of Geneva County, so as to regulate further such compensation and allowances; and to repeal conflicting laws including Act No. 643, S. 590 and Act No. 727, H. 1247, Regular Session 1965 (Acts 1965, p. 1162 and p. 1333).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Adams	Engel	Lolley	Skidmore
Albea	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 62. Relating to Tallapoosa County; further regulating the places of meetings of the board of registrars; and providing additional compensation for members of such board, to be paid out of county funds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McCarley	Radney	
Albea	Giles	McDermott	Stone	
Branyon	Givhan	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

S. 63. To provide an expense allowance for county solicitors of counties having a population of not less than 34,000 nor more than 35,500, according to the last or any subsequent Federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

S. 7. To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Nabors	Turner	
Carr	Goodwyn	Oden	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 76. Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflict-

ing laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Adams	Giles	Lolley	Pelham	
Albea	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins			—25

Nays: —0

The Bill:

S. 78. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Adams	Giles	McCarley	Pierce	
Albea	Gilmore	McDermott	Radney	
Branyon	Givhan	Morrow	Skidmore	
Childs	Goodwyn	Nabors	Stone	
Clark	Harris	Oden	Torbert	
Engel	Lindsey			—25

Nays: —0

The Bill:

S. 79. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glen Allen in Fayette County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Adams	Engel	Lolley	Pierce	
Albea	Folsom	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

S. 97. To provide further for the appointment and compensation of deputies and assistants of the sheriff of Barbour County and repeal conflicting laws.

was taken up.

Mr. Clark offered the following amendment to the Bill, S. B. 97, to-wit:

AMENDMENT TO S. B. 97

Amend S. B. 97 in Section 1 in the first sentence after the word "Eufaula" insert "and one of whom shall be based or stationed at Clio."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Adams	Engel	Lolley	Skidmore	
Albea	Folsom	McDermott	Stone	
Bailes	Giles	Morrow	Torbert	
Branyon	Goodwyn	Nabors	Turner	
Carr	Harris	Oden	Vacca	
Clark	Hawkins			—25

Nays:

—0

And said Bill, S. B. 97, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Nabors	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Clark	Goodwyn			—25

Nays:

—0

The Bill:

H. 65. To provide additional exemptions from the Marion County sales and use tax law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	Oden	Turner	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

H. 66. Relating to Marion County; to authorize the county governing body of such county to appropriate and use certain county funds and

to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Radney	
Adams	Folsom	McCarley	Skidmore	
Albea	Giles	Morrow	Stone	
Bailes	Gilmore	Nabors	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Hawkins	Pierce	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 67. To repeal Act No. 93, H. 348, Regular Session 1965, entitled "An Act Relating to counties having populations of not less than 14,400 nor more than 14,900 according to the most recent federal decennial census; regulating further the operation of public schools in such counties, prescribing the retirement age for teachers in such schools."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Adams	Folsom	McCarley	Radney	
Albea	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Branyon	Givhan	Nabors	Torbert	
Carr	Goodwyn	Oden	Turner	
Childs	Lindsey			—25

Nays: —0

The Bill:

H. 70. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Givhan	McDermott	Radney	
Bailes	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 90. Relating to Pike County, providing for closing the offices of officials in the courthouse one full day each week.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce	
Adams	Engel	McDermott	Skidmore	
Albea	Folsom	Morrow	Stone	
Bailes	Giles	Nabors	Torbert	
Branyon	Gilmore	Oden	Turner	
Clark	Givhan	Pelham	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 91. Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use of the city and of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Radney	
Branyon	Giles	Lolley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Harris	Oden	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 98. Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Hawkins	Pelham	
Adams	Cooper	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Carr	Goodwyn	Morrow	Vacca	
Childs	Harris			—25

Nays: —0

The Bill:

H. 100. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Adams	Gilmore	McCarley	Pierce	
Carr	Givhan	McDermott	Radney	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Lindsey			—25
Nays:				—0

ADJOURNMENT

At 5:05 P. M., on motion of Mr. Cooper, the Senate adjourned until Friday, May 12, 1967, at 12 o'clock Noon.

SIXTH LEGISLATIVE DAY

FRIDAY, MAY 12, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Mr. Larry M. Harris, Minister, Highland Avenue Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Gilmore	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Stone	
Carr	Harris	Nabors	Torbert	
Childs	Hawkins	Oden	Turner	
Clark	Lindsey	Pelham	Vacca	
Cooper	Lolley			—21

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Bailes, Folsom, Jackson, Adams, Dominick, Albea, Engel, Giles, Leonard, Givhan, O'Bannon, Morrow, Skidmore and Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Clark:

S. 132. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Fish and Game.

By Mr. Clark:

S. 133. To amend Section 16, Act No. 576, Acts of Alabama 1959, as amended by Act No. 878, Acts of Alabama, 1961 Regular Session, which relates to the classification and fees charged for registration of vessels under the Water Safety Act.

Committee on Finance and Taxation.

By Mr. Lolley:

S. 134. To amend Section 3 of Act No. 712, H. 48, Regular Session 1951 (Acts 1951, p. 1250), an Act to create a State Bureau of Publicity and Information so as to provide further for the composition of the advisory board.

Committee on Insurance.

By Mr. Lolley:

S. 135. To provide that no member of a train crew, yard crew or engine crew of a railroad, which is a common carrier, shall be held personally responsible or found guilty of violating any State laws or of any municipal ordinances regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon proof of certain facts; to provide that the provisions of said Act shall not relieve the employer or railroad from certain responsibility; to repeal certain laws and ordinances; to repeal conflicting laws; and for other purposes.

Committee on Commerce and Common Carriers.

By Mr. Gilmore:

S. 136. To revise and amend Chapter 1 of Title 36 of the Code of Alabama (1940), relating to restrictions upon speed of motor vehicles upon certain highways.

Committee on Public Roads and Highways.

By Mr. Gilmore:

S. 137. Regulating stopping of vehicles on the highways, and providing for the removal of abandoned or unattended vehicles or other property.

Committee on Public Roads and Highways.

By Mr. Hawkins:

S. 138. To provide that no person shall be in possession of more than one driver license.

Committee on Education.

By Mr. Hawkins:

S. 139. To amend all of Section 70 of Title 36 of the 1940 Code of Alabama as amended, all of which refers to the penalty for violation by persons whose license or driving privilege has been canceled, suspended or revoked.

Committee on Judiciary.

By Mr. Hawkins:

S. 140. To prohibit false personation by any person to procure a driver's license, and to fix a penalty therefor:

Committee on Judiciary.

By Mr. Hawkins:

S. 141. Prohibiting the transfer of driver license.

Committee on Judiciary.

By Mr. Childs:

S. 142. Relating to motor vehicles providing for and making it unlawful to cause or increase a traffic hazard by opening vehicle doors.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 143. To prohibit the use of parking lights on motor vehicles except when the vehicle is stationary.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 144. To provide for the use of safety chains when towing a trailer or semi-trailer.

Committee on Public Roads and Highways.

By Mr. Childs:

S. 145. To revise and amend Section 120 (1) of Title 14 of the 1940 Code of Alabama as amended.

Committee on Judiciary.

By Mr. McCarley:

S. 146. To provide further for reimbursement of expenses of officers and employees who travel in the service of the State.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 147. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Committee on Judiciary.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the appointment of the State Superintendent of Banks for the term expiring February 1, 1971.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

MAY 12, 1967

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Honorable Robert M. Cleckler, Childersburg, Alabama, as State Superintendent of Banks for the term expiring February 1, 1971.

Respectfully,

LURLEEN B. WALLACE,
Governor.

May 12, 1967

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the appointment of The Adjutant General of the State of Alabama.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

May 12, 1967

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, General Alfred C. Harrison, Opelika, Alabama, as The Adjutant General of the State of Alabama.

Respectfully,

LURLEEN B. WALLACE,
Governor.

May 12, 1967

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the appointment of the State Docks Director.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

May 12, 1967

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the Honorable Houston H. Feaster of Mobile, Alabama, as Director of the State Docks.

Respectfully,

LURLEEN B. WALLACE,
Governor.

May 12, 1967

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 9. Relative to the death of William Winfred Watson.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the provisions of H. J. R. 77, Special Session 1967, the Speaker of the House appointed as members on the part of the House Messrs. Ellis, Hain and Lybrand.

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN

Mr. Cooper moved that when the Senate adjourns today it adjourn to meet again on Tuesday, June 13, 1967, at 12 o'clock Noon, which motion was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 9. Mourning the death of William Winfred Watson.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the provisions under House Joint Resolution 40, the Speaker of the House has named as a Committee on the part of the House Messrs. Cameron and Hobbie.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 64. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of

amounts insured by Federal Deposit Insurance Corporation; to prescribe penalties for violations of this Act; and to repeal inconsistent laws.

JOHN W. PEMBERTON,
Clerk.

COMMITTEE APPOINTMENTS ANNOUNCED

Under the provisions of H. J. R. 40, Special Session 1967, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Pierce and Goodwyn.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 9. Delivered to the Governor May 12, 1967, at 2:00 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 1:50 P. M., on motion of Mr. Goodwyn, in accordance with motion heretofore adopted, the Senate adjourned until Tuesday, June 13, 1967, at 12 o'clock Noon.

SEVENTH LEGISLATIVE DAY

TUESDAY, JUNE 13, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Canon Dilwyn M. Davies, Acting Rector, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Branyon:

S. 148. To amend Section 1 of Act No. 430, H. 823, Regular Session 1965, providing for a program for education in the field of library science and authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants; to facilitate the awarding of such grants.

Committee on Education.

By Mr. Albea:

S. 149. To amend Code of Alabama 1940, Title 17, Section 350, which provides for the printing of ballots and other election stationery and supplies.

Committee on Privileges and Elections.

By Mr. Albea:

S. 150. To amend further Code of Alabama 1940, Title 15, Section 318, providing for appointment of counsel for indigent defendants in capital cases.

Committee on Judiciary.

By Mr. Albea:

S. 151. To propose an amendment to the Constitution of Alabama relating to the compensation of public officers.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 152. Proposing an amendment to the Constitution relating to sessions of the legislature and the compensation and allowances of members.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Giles:

S. 153. To create and establish the Alabama Council on the Arts, to provide for the appointment of its members, their qualifications, terms, duties, authority, and making an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Giles, Childs, Vacca, Leonard, Clark, McCarley, Skidmore, Pelham, McDermott, Oden, Morrow, Engel, Hawkins, Gilmore and Folsom:

S. 154. To express the public policy of Alabama relative to the payment of prevailing wages in the particular area on all projects of the State or its agencies; to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

Committee on Immigration, Industrial
Resources and Labor.

By Mr. Skidmore:

S. 155. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa, County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be altered, rearranged, and extended so as to include within the Corporate Limits of said City the following additional territory:

A. That area of land platted as South Park No. 1, a map or plat of which area is recorded in Plat Book 7, at Pages 14 and 15, in the Office of the Judge of Probate of Tuscaloosa County, Alabama.

B. That area of land platted as South Park No. 2, a map or plat of which area is recorded in Plat Book 7, at Page 53, in the Office of the Judge of Probate of Tuscaloosa County, Alabama.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks; viz April 13, April 20, April 27, and May 4, 1967.

LULLENE DuBOSE,
Legal Clerk.

Subscribed and sworn to before me on this the 4 day of May, 1967.

MRS. BETTY PEARY,
Notary Public.

By Mr. Skidmore:

S. 156. To repeal Act No. 99, S. 79, Special Session 1967, approved April 7, 1967, relating to the Sixth Judicial Circuit.

Committee on Local Legislation No. 1.

By Messrs. Skidmore and McCarley:

S. 157. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the Department of Industrial Relations and the director thereof to enforce and administer this Act and defining the powers and duties of such department and director relative thereto; prescribing penalties; and repealing conflicting laws.

Committee on Judiciary.

By Messrs. Vacca, Bailes and Gilmore:

S. 158. To amend further Section 186 of Title 14, Code of Alabama 1940, which prescribes penalties for unlawful use, transportation, possession and sale of pistols.

Committee on Judiciary.

By Mr. Vacca:

S. 159. To amend Act No. 674, Regular Session 1965 "To provide for the appointment, removal, and discharge of a legal representative to manage public assistance payments for certain public assistance applicants or recipients, and to prescribe the duties of such legal representative" so as to dispense with the notice of hearing under certain conditions.

Committee on Judiciary.

By Messrs. Bailes and Dominick:

S. 160. To make it unlawful for a person to operate an uncovered motor vehicle loaded with sand, rock, slag, sawdust, seed, gravel, or other like substance in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Committee on Public Roads and Highways.

By Mr. Dominick:

S. 161. To amend Section 2 of Act No. 391, S. 33, Regular Session 1955 (Acts 1955, p. 926) an act regulating the sale, possession, displaying, offering for sale and use of fireworks in Alabama, so as to declare certain fireworks and pyrotechnics to be contraband and to constitute a nuisance and to authorize and direct their confiscation and destruction.

Committee on Judiciary.

By Messrs. Bailes, Childs, Dominick, Hawkins, Gilmore, Vacca, Morrow and Pierce:

S. 162. To amend further Act No. 255, H. 313, approved June 24, 1943, an act providing for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors (General Acts 1943, pp. 226-228).

Committee on Finance and Taxation.

By Messrs. Gilmore and Vacca:

S. 163. To provide for erection of certain markers on public highways to advertise tourist attractions; prescribing the duties and responsibilities of the Director of Publicity and Information and the Director of the State Highway Department in relation to the construction and erection of such markers; and providing for payment of costs.

Committee on Finance and Taxation.

By Messrs. Leonard and McCarley:

S. 164. To fix the travel and maintenance expenses to be allowed and paid Circuit Judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide the manner of payment of such expenses.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 165. To amend Code of Alabama 1940, Title 14, Section 426, in relation to the penalty for trespass after warning.

Committee on Judiciary.

By Mr. Givhan:

S. 166. To amend further Code of Alabama 1940, Title 7, Section 996, relating to the issuance of garnishments pending suit or after judgment.

Committee on Judiciary.

By Mr. Givhan:

S. 167. To control, eradicate and prevent the spread of hog cholera disease among swine by authorizing the State Board of Agriculture and Industries to adopt rules and regulations governing the manufacture, sale, distribution and use of all products used for immunization, treatment and protection of swine from such disease; and to prescribe a penalty for violations of this Act.

Committee on Agriculture.

By Mr. Givhan:

S. 168. To make a conditional appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1968 and September 30, 1969, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 169. To make a supplemental appropriation to the Department of Agriculture and Industries.

Committee on Finance and Taxation.

By Mr. Oden:

S. 170. To amend Section 5 of Act No. 515, H. B. 93, approved July 9, 1945 (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 171. To provide that in all misdemeanor cases for the violation of the Water Safety Act and regulations promulgated thereunder and in all misdemeanor cases for the violation of future laws to be enforced by the Water Safety Division where the defendant pleads guilty and no appeal is taken, no fee shall be taxed or collected for trial tax, solicitor's fees, or entering judgment in such cases cognizable in justice of the peace courts, county courts, inferior courts, law and equity courts, or courts of like jurisdiction.

Committee on Forestry and Conservation.

By Messrs. Cooper and Leonard:

S. 172. To make an additional appropriation for salaries of certain county health department employees who are subject to the merit system for county health services of the Alabama State Department of Health.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 173. To revise and amend Section 58 (34) of Title 36 of the Code of Alabama (1940), relating to the safety glazing material in motor vehicles.

Committee on Aviation and Traffic.

By Mr. Cooper:

S. 174. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development and contracts for the furnishing of fiscal or financial advice or services.

Committee on Finance and Taxation.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 175. Designating the offense of selling, bartering, giving, serving or delivering intoxicating liquors to minors a misdemeanor under certain conditions, and a felony under other conditions; and prescribing penalties.

Committee on Temperance.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 176. To regulate the sale and distribution, advertisement or promotion of obscene matter, provide for determination of such obscene matter and prescribe penalties for such violations.

Committee on Judiciary.

By Messrs. Cooper, McCarley, Childs and Hawkins:

S. 177. To amend Title 22, Section 258 (9), providing penalties relating to the illegal possession of barbiturates.

Committee on Public Health.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 178. To amend Title 22, Section 258 (20) (a), providing penalties for the illegal possession of amphetamines or other stimulating drugs.

Committee on Public Health.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles, McCarley and Morrow:

S. 179. To require law enforcement officers to report all arrests of persons charged with certain sex offenses and all courts having jurisdiction of such offenses to report all convictions therein of such offenses to the state department of public safety; to require the state department of public safety to adopt and maintain a system of registering or recording and indexing such information and making it available only to duly constituted law enforcement officers for the purpose of apprehending and convicting sex offenders and preventing and curtailing sex crimes; and to prescribe penalties.

Committee on Judiciary.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 180. To require certain sex offenders to register with the sheriff of the county where they reside; to require and provide for maintenance of registers or rosters of persons registering under this act by the several sheriffs and by the state department of public safety; and to prescribe the punishment for wilful failure or refusal to so register.

Committee on Judiciary.

By Mr. Turner:

S. 181. To further amend Sections 18, 20 and 21 of Title 30, Code of Alabama 1940, which relate to the duties of the clerk of jury commissions and qualifications of persons on jury rolls.

Committee on Judiciary.

By Mr. Turner:

S. 182. To provide that insureds or other beneficiaries of insurance policies, subscribers to or other beneficiaries of medical hospital or hospital and medical service plans and contracts, shall, when visual services are offered, have freedom of choice of practitioner in the performance of services which are within the lawful scope of the practice of optometry.

Committee on Finance and Taxation.

By Mr. Turner:

S. 183. To exempt from the State's sales and use taxes eyeglasses, spectacles, lenses, frames and other therapeutic devices furnished by optometrists to their patients.

Committee on Finance and Taxation.

By Mr. Turner:

S. 184. Relating to civil remedies and procedure; to provide for enjoining the unauthorized or unlawful practice of professions, occupations, or callings, and providing for retrospective operation of the Act.

Committee on Judiciary.

By Mr. Turner:

S. 185. Relating to the administration of public assistance programs for the visually handicapped, prohibiting discrimination, and providing a remedy for violations.

Committee on Finance and Taxation.

By Mr. Turner:

S. 186. To abolish the public service commission existing pursuant to Code of Alabama 1940, Title 48, Section 1, and to create in lieu thereof a new public service commission; to provide for the election and prescribe the terms, compensation, powers, duties and authority of the newly created public service commission and its members; to transfer to this new public service commission all the rights, powers, duties, jurisdiction, authority, books, records, moneys and effects of the abolished commission; and to repeal conflicting laws.

Committee on Judiciary.

By Mr. Turner:

S. 187. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, in relation to the compensation and expenses of members of the board.

Committee on Finance and Taxation.

By Mr. Turner:

S. 188. Relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment.

Committee on Local Legislation No. 1.

By Mr. Turner:

S. 189. To amend further Code of Alabama 1940, Title 45, Section 144 in relation to the allowance for feeding prisoners.

Committee on Finance and Taxation.

By Mr. Turner:

S. 190. To make an appropriation for the payment of expenses of the Legislature.

Committee on Finance and Taxation.

By Mr. Turner:

S. 191. To amend Code of Alabama 1940, Title 48, Section 9, which relates to the office, meetings and records of proceedings of the Alabama Public Service Commission, so as to prescribe the time of such meetings, require the attendance of members of the commission at such meetings, prescribe a penalty against a member who fails to attend or absents himself from such meetings, to prescribe the requisite vote for official action by the commission, and to require certain matters to be entered in the record of proceedings of the commission.

Committee on Judiciary.

By Messrs. Goodwyn and Morrow:

S. 192. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development and contracts for the furnishing of fiscal or financial advice or services.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Giles:

S. 193. To provide further for membership in the Teachers' Retirement System; to provide that all persons regularly employed in public schools and public colleges and also persons employed in certain capacities by the Alabama High School Athletic Association may become members of such retirement system.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Giles:

S. 194. To amend Section 188, Section 204 and Section 207, Title 26, Code of Alabama 1940, as last amended, all relating to unemployment compensation.

Committee on Immigration, Industrial
Resources and Labor.

By Messrs. Goodwyn and Giles:

S. 195. To amend Code of Alabama 1940, Title 26, Sections 279, 283, 289, 293 and 300, which relate to the Workmen's Compensation Law.

Committee on Immigration, Industrial
Resources and Labor.

By Messrs. Goodwyn and Giles:

S. 196. To amend Section 240, Title 26, Code of Alabama 1940, as last amended.

Committee on Immigration, Industrial
Resources and Labor.

By Messrs. Goodwyn and Pierce:

S. 197. To amend Section 7 (2) of Title 58, The Code of Alabama of 1940, as recompiled in 1958, which Section relates to the execution of proxies by fiduciary holding corporate stocks by adding thereto provisions providing for the voting of corporate stocks when the same are registered in the name of a nominee of a fiduciary.

Committee on Judiciary.

By Messrs. Goodwyn and Giles:

S. 198. To amend Section 235, Title 26, Code of Alabama 1940, as last amended.

Committee on Immigration, Industrial
Resources and Labor.

By Messrs. Goodwyn and Pierce:

S. 199. To amend Section 222, Title 52, The Code of Alabama of 1940, as recompiled in 1958, which section relates to place and method of payment of warrants, by eliminating therefrom the schedule of maximum fees to be paid a paying agent for the services performed in acting as paying agent of a board of education and as reimbursement for expenses incurred in remitting payments of warrants and/or coupons therefrom and substituting therefor a provision that a board of education shall pay such reasonable fees for such services, and as such reimbursement as may be negotiated and agreed upon by the board of education and its paying agent.

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 200. To amend Section 62 and Section 73 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 193 of Title 10 of the Code of Alabama of 1940." by recognizing that nominees of corporate fiduciaries hold shares of stock for more than one fiduciary account and may vote a part of said holding in one manner and another part in a different manner.

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 201. To amend further Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 and by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953.

Committee on Judiciary.

By Messrs. Gilmore, Morrow, Childs, Vacca and Hawkins:

S. 202. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the 1st Special Session or the regular session of the Legislature of Alabama held during the year 1967 for introduction and passage of a Bill, the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Brownville, in Jefferson County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said Town certain additional territory lying within the following described boundaries, to-wit:

Begin at the SE corner of W $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., thence run West along the South line of said W $\frac{1}{2}$ of SE $\frac{1}{4}$ a distance of 78.8 feet to the NE corner of Lot 7, Block 4, according to the Map of Wenonah Subdivision, Plat "D", as recorded in Map Book 8, Page 80, Judge of Probate Office, Bessemer Division, Jefferson County, Alabama, for the point of beginning, thence continue said course along said South line, being also the North line of said Lot 7, a distance of 137.5 feet to the NW corner of said Lot 7, turn right an angle of 56° 58' a distance of 1590.26 feet to a point on the North line of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 25, being also a point on the NE right-of-way boundary of U. S. Steel Ore or Highline R. R., turn right an angle of 00° 57' along said NE right-of-way boundary a distance of 951.37 feet to a point on the NW right-of-way boundary of Second Avenue, according to the Map of Hillman, as recorded in Map Book 1, Page 57, Judge of Probate Office, Birmingham Division, Jefferson County, Alabama, being the present Brownville Corporate Limit boundary, turn right an angle of 72° 31' along said NW right-of-way boundary a distance of 129.86 feet to the intersection of a NWly projection of the NEly right-of-way boundary of Second Street, turn right an angle of 90° 00' a distance of 380.0 feet to the Southmost corner of Lot 16, Block 21, according to said Map of Hillman, turn right an angle of 90° 00' a distance of 80.0 feet to the Eastmost corner of Lot 9, Block 22, according to said Map of Hillman, turn left an angle of 90° 00' a distance of 160.0 feet, turn right an angle of 90° 00' along the SE boundary of Block "J", being also the NW right-of-way boundary of L & N Railroad, a distance of 62.70 feet, turn left an angle of 72° 31' a distance of 526.48 feet to a point on the North line of aforesaid SW $\frac{1}{4}$ of SE $\frac{1}{4}$, turn right an angle of 00° 15' a distance of 1568.97

feet to point of beginning; being in W $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., and including Block 22, Block "J", and a portion of First and Second Avenues, and a portion of Second Street, according to said Map of Hillman, Jefferson County, Alabama.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA COUNTY OF JEFFERSON

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B M McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 10-17-24-31 1967 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 9 day of May 1967.

W. E. MILLER,
Notary Public.

By Mr. Clark:

S. 203. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1967.

Committee on Finance and Taxation.

By Messrs. Clark and Cooper:

S. 204. To authorize the State Industrial Development Authority to sell and issue from time to time not exceeding \$5,000,000 principal amount of its bonds in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the

proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Committee on Finance and Taxation.

By Mr. Clark:

S. 205. To amend Title 5, Section 255 of the Code of Alabama of 1940 so as to provide for the pledging or hypothecation of accounts held jointly in Savings and Loan Associations by one of such joint owners.

Committee on Banking.

By Messrs. Clark and Cooper:

S. 206. To amend Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama to reallocate the revenues derived from the tax authorized by said Act and to appropriate so much of said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$5,000,000.00 in aggregate principal amount.

Committee on Finance and Taxation.

By Mr. Clark:

S. 207. To authorize county governing bodies to pay expenses in defending lawsuits brought against county officials growing out of the performance of their official duties.

Committee on Counties and County Boundaries.

By Mr. Clark:

S. 208. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 209. To make an appropriation from the state treasury to the use of the directors or trustees of Eufaula Heritage Association for the purpose of converting the Shorter Mansion located at Eufaula into a museum.

Committee on Finance and Taxation.

By Mr. Lolley:

S. 210. To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in Coffee County may, with the written consent of the State Superintendent of Banks, open, establish, and operate one or more branch offices or branch banks for receipt of deposits, payment of checks, and conducting its business, anywhere within Coffee County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COFFEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Manuel Segall, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Enterprise Ledger, Inc., a newspaper of general circulation published in Coffee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1967.

MANUEL SEGALL.

Sworn to and subscribed before me May 30th, 1967.

ROY M. SHOFFNER,
Notary Public.

By Messrs. Lolley, Clark, Lindsey, Jackson, Folsom, Giles and Stone:

S. 211. To repeal Section 58 of Title 18, Code of Alabama 1940, Recompiled, relating to the consent of the department of finance of the State of Alabama to the issuance or sale of bonds of rural electric co-operatives.

Committee on Judiciary.

By Messrs. Lolley, Clark, Lindsey, Jackson, Folsom, Giles and Stone:

S. 212. To amend Section 155 of Title 55, Code of Alabama 1940, Recompiled, relating to consent of the department of finance to issuance of securities.

Committee on Judiciary.

By Mr. Radney:

S. 213. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 214. To make further provisions respecting the board of revenue of Barbour County; to reduce the size of such board and redivide Barbour County into board of revenue districts and prescribe the representation of each district on such board; to provide for a president of such board; to provide for the election, term of office and compensation of members of the board; to provide for filling vacancies on the board; to repeal Act No. 221, S. 165 of the Regular Session of 1919 and Act No. 10, S. 60 of the Regular Session of 1965, which amends said Act No. 221 of 1919 and all other laws in conflict herewith.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting the board of revenue of Barbour County; to reduce the size of such board and redivide Barbour County into board of revenue districts and prescribe the representation of each district on such board; to provide for a president of such board; to provide for the election, term of office and compensation of members of the board; to provide for filling vacancies on the board; to repeal Act No. 221, S. 165 of the Regular Session of 1919 and Act. No. 10, S. 60 of the Regular Session of 1965, which amends said Act No. 221 of 1919 and all other laws in conflict herewith.

Be It Enacted by the Legislature of Alabama:

Section 1. After the general election in 1968 the board of revenue of Barbour County shall consist of only five members. District 1, as Barbour County is divided into board of revenue districts pursuant to Section 2 of this Act, shall be represented on said board by two members and they shall be designated as members from District No. 1, Seat No. 1 and District No. 1, Seat No. 2. Each of the other districts shall be represented by one member. Each member of the board, when he is elected and throughout the time that he serves shall reside in and be a qualified elector of the district he represents; but all such members shall be elected by the qualified electors of the county at large.

Section 2. Barbour County is hereby divided into four districts, numbered one through four, to be known as board of revenue districts. District No. 1 shall be composed of all that area lying within the city limits of the city of Eufaula. District No. 2 shall be composed of beats 1, 2, 3, 4, 11, 14, 16 and all of beat 5 except that part which lies within the corporate limits of the city of Eufaula. District No. 3 shall be composed of beats 6, 7, 8 and 9. District No. 4 shall be composed of beats 10, 12, 13 and 15. The word beats as herein used means the election beats or precincts into which Barbour County is divided pursuant to law on the date on which this act becomes law.

Section 3. Members serving on the board of revenue of Barbour County when this act becomes law from districts numbers three and four, as Barbour County is divided into board of revenue districts pursuant to Act No. 221, S. 365 of the Regular Session of 1919 (Local Acts 1919, p. 69), as amended by Act No. 10, S. 60 of the Regular Session of 1965 (Acts, Regular Session 1965, p. 31), shall serve as members from District No. 3 and District No. 4, as the county is divided into districts by Section 2 of this act, respectively, until the expiration of the terms for which they have heretofore been elected. Two members to represent District No. 1 and one member to represent District No. 2 shall be elected

by the qualified electors of Barbour County at large in the general election in 1968 and every six years thereafter. Successors to members representing Districts Nos. 3 and 4 shall be elected by the qualified electors of Barbour County at large in the general election in 1972, and every six years thereafter. The term of office of all members of the board shall be six years from the day after their election and until their successors are elected and have qualified. Every candidate for election to the board of revenue of Barbour County shall, in his declaration of candidacy, specify the district from which he is a candidate; and in the case of a candidate to represent District No. 1, he shall also specify the seat number for which he is a candidate.

Section 4. Any vacancy occurring by death, resignation or other cause, except expiration of term, shall be filled by appointment by the Governor for the unexpired term.

Section 5. The board of revenue shall elect one of its members president. Such president shall be the presiding officer of the board and shall have and exercise all of the powers and authority conferred on the president of the board of revenue of Barbour County by Act No. 505, H. 1031 of the 1894-95 Session of the Legislature (Acts 1894-95, p. 997) and any and all other powers and authority vested under the general law in the presiding officers of county governing bodies. He shall also do and perform all duties required of the president of the board of revenue of Barbour County by said Act No. 505 of the 1894-95 Session or by the general law of presiding officers of county governing bodies.

Section 6. Each member of the board of revenue shall receive a salary of three hundred dollars per month. Such salary shall be the total compensation for the performance of the duties of his office to be received by each member, except the president, and shall be in lieu of all other salary, per diem and expense allowances provided by law. The president of the board, in addition to the above prescribed salary, shall also be provided an expense allowance in such amount per month as is fixed by the board.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 8. Act No. 221, S. 365, of the Regular Session of 1919 (Local Acts 1919, p. 69) and Act No. 10, S. 60 of the Regular Session of 1965 (Acts Regular Session 1965, p. 31) amendatory thereof, are hereby specifically repealed. Any and all other laws or parts of laws in conflict herewith are also repealed.

Section 9. The substantive provisions of this act shall become effective as soon as member of the board of revenue of Barbour County have been elected in the general election of 1968 and have qualified; but the provisions hereof relative to the division of Barbour County into board of revenue districts, the election of members of such board from such districts, (and, in the case of the election of members from District No. 1 to numbered seats), and the provisions requiring candidates in their announcements to state the number of the district which they are candidates to represent (and in case of candidates to represent District No. 1 the number of the seat for which they are candidates), shall govern the nomination and election of such candidates in 1968.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by

me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 18, May 25, June 1, and June 8, all in the year 1967.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 9, 1967.

MILTON CAMPBELL,
Notary Public.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from Her Excellency, The Governor, relative to the Department of Public Safety.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

June 13, 1967

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am certain that each of you have followed recent developments around this Nation which have led to unfortunate and distressing situations where local law enforcement officers and agencies were no longer able to maintain safety and security for persons and property within their jurisdiction. I have, as I am sure that each of you have, an overwhelming concern for the personal safety of every citizen of this State and for the right of every citizen to be certain that his property will not be subjected to lawless destruction.

I have this date instructed the Director of the Department of Public Safety to begin the immediate selection and employment of a substantial number of additional State Troopers. I have further instructed the Department of Public Safety to implement an immediate and comprehensive training program for these Troopers in order that they might be properly prepared to meet any special and extraordinary situation which might endanger the lives, safety, or property of the citizens of this State.

Knowing the condition of the State's General Fund, I, of course, realize that the monies to meet the cost of this program are not presently available. However, because the situations to which I have referred across this Nation have been of such intensity and fraught with so much danger and needless and senseless destruction of property, it has been necessary for me, in my judgment, to take appropriate action at once.

Therefore, I am requesting you, as Members of the Legislature of Alabama, to provide additional funds and revenues for the Department of Public Safety. I am certain that you will meet your responsibilities to the citizens of this State and I want to assure you that my office and I, personally, am prepared to assist you in this undertaking in any manner which you might desire.

Respectfully,

LURLEEN B. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing message from Her Excellency, the Governor, was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 8. Naming Senate Bill 117.

Also:

H. J. R. 10. Mourning the death of Dr. E. H. Couch, beloved physician of Guntersville.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 64. To provide for the deposit of money of the state in state depositaries in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; to prescribe penalties for violations of this Act; and to repeal inconsistent laws.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Graham:

H. 36. Further regulating the liquor traffic in Colbert County and authorizing cities in such county to become wet cities if the legal possession, sale and distribution of alcoholic beverages is approved at an election held as authorized in this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said State and County, personally appeared Eleanor Holder who, being by me first duly sworn, did depose and say as follows:

My name is Eleanor Holder I am News Editor of the Colbert County Reporter, a newspaper printed and published in the City of Tuscumbia, County of Colbert, State of Alabama, and have the authority to make this affidavit. I further certify that the attached publication was duly made in the Colbert County Reporter in its issues of April 6, 13, 20, and 27, 1967 and that the attached copy is a true and correct copy of the notice as the same appeared in said issues of said newspaper.

A BILL
TO BE ENTITLED
AN ACTSTATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Further regulating the liquor traffic in Colbert County and authorizing cities in such county to become wet cities if the legal possession, sale and distribution of alcoholic beverages is approved at an election held as authorized in this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the petition of twenty-five percent of the number of voters voting in the last preceding municipal election being filed with the city clerk of any incorporated city in Colbert County with a population of not less than 4,000 inhabitants according to the most recent federal decennial census, the mayor or chief executive officer of the city must

call an election for the city to determine the sentiment of the people as to whether alcoholic beverages can be legally sold or distributed within the city. The election shall be held and the officers appointed to hold the same shall be appointed in the manner provided by law for holding other city elections, and the returns thereof shall be tabulated and the results certified as provided by law for municipal elections. The election shall be held within not less than 30 days, nor more than 45 days, from the date of filing of said petition, and notice thereof shall be given by the city clerk by publication once a week for at least three weeks before the date of said election, in a newspaper of general circulation in the city or, if there be none, by posting such notice at the city hall. Such notice shall apprise the voters of the city that an election will be held in such city to determine whether or not alcoholic beverages may be legally possessed, sold and distributed in such city. The cost of such election, including the costs of notice by publication shall be paid out of city funds. On the ballot to be used for such election the question shall be in the following form: "Do you favor the legal sale and distribution of alcoholic beverages within this city? Yes——. No——." Only qualified voters shall vote in said election. If a majority of the electors voting in said election, vote "Yes" then alcoholic beverages may, except as hereinafter provided, be legally possessed, sold and distributed in the same manner and under the same circumstances and conditions that alcoholic beverages may be possessed, sold and distributed in a "wet county" under Code of Alabama 1940, Title 29, Chapter 1, as amended and supplemented; and the provisions of said Chapter 1 of Title 29, Code of Alabama 1940, shall govern the possession, sale and distribution of alcoholic beverages in such city as fully as if Colbert County had voted to become a "wet county" as authorized in Code of Alabama 1940, Title 29, Section 68. If a majority of the electors voting in said election vote "No" then alcoholic beverages may not be legally possessed, sold or distributed in such city until the possession, sale and distribution thereof shall be authorized at a subsequent election held under this Act or at a subsequent county-wide election whereby Colbert County becomes a wet county. Elections under this Act may be held at any time, provided a period of not less than two years must elapse between the dates of such elections. Any city in Colbert County whose voters approve the legal possession, sale and distribution of alcoholic beverages pursuant to this Act shall be known as a "wet city". After a city in Colbert County has become a "wet city," its status as such shall be governed pursuant to the provisions of this Act, notwithstanding the subsequent wet or dry status of the county under Section 68, of Title 29, 1940 Code of Alabama as amended.

Section 2. The possession in Colbert County of alcoholic beverages or spirituous or vinous liquors, as defined in Code of Alabama 1940, Title 29, on which the Alabama tax has been paid by persons over the age of twenty-one years for their own personal use or consumption shall not be illegal while any city in such county is a wet city pursuant to this Act.

Section 3. Except as herein otherwise provided, the statutes of this state prohibiting the possession, manufacturing, sale and distribution of alcoholic beverages or spirituous and vinous liquors shall remain in full force and effect in Colbert County and in any city therein; and any person, firm or corporation convicted for violating within such county or cities any of the provisions of law regulating or defining the illegal manufacturing, sale or distribution of alcoholic beverages shall be punished as provided in such laws.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act is cumulative and does not repeal any law except such as may be in irreconcilable conflict with it.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

ELEANOR HOLDER.

Sworn to and subscribed before me on this the 30th day of April 1967.

BRYCE U. GRAHAM,
Notary Public, Colbert County, Alabama.

My Commission expires

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 10. Relating to counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census; to authorize the county governing bodies of all such counties to provide an additional clerk-hire allowance to the circuit clerk.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 9. To provide expense allowances for the circuit judges of the seventh judicial circuit; to fix the expiration dates of such expense allowances.

Also:

By Mr. Pearson:

H. 35. To amend Act No. 20, H. 1, approved March 11, 1965 (Acts, Special Session 1965, v. 1, p. 35), an act fixing the compensation of bailiffs serving in courts in Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 20, H. 1, approved March 11, 1965 (Acts, Special Session 1965, v. 1, p. 35) an act fixing the compensation of bailiffs serving in courts in Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 20, H. 1 approved March 11, 1965, (Acts Special Session 1965, v. 1, p. 35), an act fixing the compensation of bailiffs serving in courts in Autauga County, is hereby amended to read as follows:

"Section 1, In Autauga County bailiffs actually serving in court shall each receive \$15 a day for every day he serves, which shall be paid out of the county treasury on the certificate of the presiding judge showing that the baliff's services were necessary."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice, having appeared in the issues of said paper on March 6, March 13, March 20, and March 27, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me April 19, 1967.

LINDA H. BREEDLOVE,
Notary Public.

Also:

By Mr. Fine:

H. 58. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

Also:

By Mr. Fine:

H. 59. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

Also:

By Mr. Fine:

H. 60. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

By Mr. Fine:

H. 61. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

By Messrs. Springer, McElhaney and Cameron:

H. 87. To amend Act No. 666, Acts of Alabama, 1957 relating to Montgomery County; changing the method of compensating the Register

of the Circuit Court of Said County, fixing his compensation, providing for his deputies and assistants and the operation of his office, and for the disposition of costs and fees collected by him.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and that application for its passage and enactment into law will be made upon completion of this advertising period:

A BILL
TO BE ENTITLED
AN ACT

TO AMEND ACT NO. 666, ACTS OF ALABAMA, 1957

Relating to Montgomery County; changing the method of compensating the Register of the Circuit Court of Said County, fixing his compensation, providing for his deputies and assistants and the operation of his office, and for the disposition of costs and fees collected by him.

Be It Enacted by the Legislature of Alabama:

Section 1. The Register of the Circuit Court of Montgomery County shall be entitled to an annual salary of Twelve Thousand dollars for the performance of his regular duties and also the sum of Three Thousand dollars per annum for performing ex officio duties; such salary and allowance shall be payable monthly from the county treasury, and shall be the entire compensation of the Register. The costs, fees, commissions, percentages and allowances which the Register would otherwise be entitled to shall be paid into the county treasury.

Section 2. The Register of the Circuit Court of Montgomery County shall be entitled to appoint and employ a deputy register whose compensation shall be fixed under the merit system at not less than Seventy-two Hundred per annum, payable monthly from the county treasury. And the Register is also authorized and empowered to appoint and employ, subject to the county merit system law, two clerks whose compensation shall be paid from the county treasury and shall be fixed in accordance with the pay plan of the county merit system. The board of revenue, court of county Commissioners or like governing body of the county may from time to time authorize the employment of such other clerks and assistants by the Register as may be necessary for the efficient conduct of the business of his office, subject to the county merit system act.

Section 3. The board of revenue, court of county Commissioners or like governing body of Montgomery County shall provide the Register of the Circuit Court of said County with the offices, books, stationery, office furniture, furnishings, equipment, services and supplies necessary for the proper operation of his office.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with the Act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. T. Johnson, being sworn, says that he is Publisher of The Montgomery Independent, a weekly newspaper of general circulation printed and published in the City and County of Montgomery, State of Alabama, and that the attached notice appeared in the issues of March 29, April 5, 12, 19 of The Montgomery Independent.

W. T. JOHNSON.

Sworn to and subscribed before me this the 26th day of April, 1967.

SUSAN WARD JOHNSON,
Notary Public.

My commission expires Jan. 17, 1971

Also:

By Mr. Tuck:

H. 89. To amend Act No. 284, H. B. 657, Regular Session 1947, an act authorizing the governing body of Pickens County to pay the compensation of a deputy sheriff other than the chief deputy.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 284, H. B. 657, Regular Session 1947, an act authorizing the governing body of Pickens County to pay the compensation of a deputy sheriff other than the chief deputy.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 284, H. B. 657, Regular Session 1947 (Local Acts 1947, p. 217), an act relating to payment of the compensation of a deputy sheriff of Pickens County, is hereby amended to read as follows:

"Section 1. The court of county commissioners or like governing body of Pickens County, Alabama is hereby authorized to pay a salary to a deputy sheriff of said county, holding appointment from the sheriff of said county as now provided by law, in an amount not exceeding \$325 per month, to be paid out of the county treasury of said county upon the warrant of the county commissioners or other like governing body of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Daisy J. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 16, March 23, March 30, and April 6, all in the year 1967.

DAISY J. JUNKIN.

Sworn to and subscribed before me April 25, 1967.

E. V. JUNKIN,
Notary Public.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 110. To fix the compensation of certain county officers in all counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census.

Also:

By Mr. Fite:

H. 118. Relating to Marion County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm, corporation or association to discharge, dispose or negligently to allow the deposit in the public streams of Marion County, Alabama, of any raw sewage, industrial wastes or other wastes including any soil, sand, clay, chalk, kaolin, muck, slush or other residue resulting from any excavations or preparations for roads, bridges, industrial, recreational or other building sites, or mining operations. (not limited to but including hydrau-

lic mining operations), soil testing, reclamation projects or other operations of any nature whatsoever in such manner as to pollute, discolor, contaminate, clog or divert the public streams in said county.

Section 2. Any person, firm, corporation or association violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars. Each day such violation continues shall constitute a separate offense.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ALABAMA

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 11, April 18, April 25, and May 2, all in the year 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me May 3, 1967.

BRENDA S. HICKS,
Notary Public,
State of Alabama at Large.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 8. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing expense allowances for the tax assessor, tax collector, and circuit court clerk, and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 36. To the Committee on Temperance

H. B.'s 10, 9, 35, 58, 59, 60, 61, 87, 89, 110, 118 and 8. To the Committee on Local Legislation No. 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Collier, Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Fite, Foshee, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Hogan, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhane, McLain, Meade, Meeks, Melton, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Sessions, Shumate, Slate, Smith (C), Smith (P), Snell, Snodgrass, Springer, Starnes, Steagall, Stembbridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding and Young:

H. J. R. 19. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we heartily congratulate and salute Mr. and Mrs. William Mathew Pennington, parents of our esteemed colleague, Harry L. Pennington, on the celebration of their Golden Wedding Anniversary, May 5. Both William Pennington, a pioneer in the automobile business in Alabama, having established a dealership in Wetumpka in 1915 which he operated continuously until his retirement in 1965, and Mrs. Pennington, are members of distinguished families which have contributed greatly to the social, cultural, civic, and political betterment of this State. Mrs. Pennington, the former Bernadine Williams, of Wetumpka, is the granddaughter of Colonel Thomas Williams, deceased, a former member of the House and the Congress of the United States. We wish for the Penningtons many happy years to follow this anniversary in the loving company of their friends and sons and daughters and grandchildren.

RESOLVED FURTHER, That enrolled copies of this Resolution shall be sent forthwith to Mr. and Mrs. Pennington.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Rules were suspended and the Resolution, H. J. R. 19, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Sessions:

H. J. R. 20. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be

a committee to meet during the interim between the effective date of this resolution and the opening day of the regular session of the Legislature in May following. It shall be the duty of this committee to study the desirability and the feasibility of establishing a pension system for members of the Legislature of this state. Such committee shall particularly investigate methods of financing such a system and shall consider thoroughly the estimated cost to the state of instituting and carrying out such a pension program and shall recommend the type of legislation needed to establish and provide for such a system, if it determines that the establishment of such a system is desirable and feasible. The committee shall make a report of its findings, conclusions and recommendations to the two houses when its work has been completed. The committee shall be composed of three members of the House of Representatives, appointed by the Speaker, and two Senators, appointed by the President of the Senate. The members of the committee shall elect a chairman and a vice-chairman from among their number. The first meeting of the committee shall be held at such time and place as designated by the Speaker of the House; thereafter the committee shall meet on the call of the chairman.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor as provided in Article 5, Section 125 of the Constitution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 20, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Grayson, Downing, Marr and Smith (C).

H. J. R. 22. WHEREAS Miss Emmalee Shanks, seventeen-year-old Mobile beauty was named winner of the annual Good Citizen Award by the Daughters of the American Revolution in Washington, D. C. on March 19, 1967, when she was given a silver bowl and a one thousand dollar scholarship; and

WHEREAS Miss Shanks who is the daughter of Mr. and Mrs. James Shanks, and sponsored by the Fort Conde D. A. R. Chapter of Mobile, was selected from 9,000 high school senior girls nominated by 3,000 D. A. R. Chapters throughout the United States, in recognition of her leadership, service and patriotism; and

WHEREAS Miss Shanks is a most versatile young lady whose activities have won her numerous honors. She is valedictorian of her class of 450 seniors at Davidson High School, was named the Alabama D. A. R. Good Citizen Girl, was winner of the award of the National Council of Teachers of English, was vice-president of the National Honor Society, was Davidson's first Girl's State delegate where she was appointed Director of State Docks, was Alabama-West Florida District winner of the 1967 Civitan Oratorical Contest with final competition to be held this month, was queen of her school's 1967 beauty review, and was a blue ribbon winner in its 1967 Science Fair. She is nominee in Davidson's

"Who's Who" contest for "Most Talented," "Most Dependable," and "Most Likely to Succeed," and is also nominee for "Miss D. H. S.," with the winners to be chosen at a later date. She has also been selected as "Senior Elite" in English and mathematics by the faculty and has been an active participant in several choral and debating groups throughout each year in senior high school. She is also active in religious work, and is a member of Cottage Hill Baptist Church; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Miss Shanks upon her winning of the D. A. R. Good Citizen Award. We warmly commend her upon her long list of accomplishments which testify to her exceptional talents, and upon her industry in utilizing the full extent of her abilities. The winning of this award brings much credit not only to the recipient, but also to her family, school, community, and State. We wish her every success in her chosen field of nursing, and in her every undertaking.

RESOLVED FURTHER That a copy of this resolution be sent to Miss Shanks and to the Fort Conde Chapter of the D. A. R. in Mobile.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDermott, the Rules were suspended and the Resolution, H. J. R. 22, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hobbie, Bassett, McElhaney and Cameron:

H. J. R. 23. WHEREAS, The State of Alabama and the City of Montgomery is to be honored today with an appearance by that most illustrious of all American entertainers; and

WHEREAS, Mr. Bob Hope has a justifiable international reputation as a humanitarian and philanthropist as well as a comedian of exceptional talent; and

WHEREAS, The State of Alabama wishes to acknowledge the many contributions made to this nation by Mr. Hope.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That this body extend a most cordial welcome to Mr. Hope, along with a standing invitation to return as often as possible.

BE IT FURTHER RESOLVED That should an opportunity present itself, Mr. Hope be invited to speak to the House and Senate during an informal recess which would be called for that purpose.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 23, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Snell:

H. J. R. 24. WHEREAS Bonnie Duncan Hand, Editor and Publisher of The LaFayette Sun, LaFayette, Alabama, for the past twenty-seven years, and a life-long newspaperman, died on Saturday, May 27, 1967, at the age of fifty-four years;

AND WHEREAS Mr. Hand's interests and areas of fine service as a newspaper editor and citizen were much broader than his own local community, and in a very special way, included the whole of the State of Alabama;

AND WHEREAS Mr. Hand not only served a term as President of the Alabama Press Association, but for twenty years, and at the time of his death, was Chairman of the Legislative Committee of this association. Also, at the time of his death, he was a member of the Board of Trustees of Southern Union Junior College, Wadley, Alabama, these things typifying the interest and breadth of his civic activities.

AND WHEREAS he brought to each of these fields of service a rare devotion of talent and responsibility concerning his duties and opportunities for constructive improvements in every area of his labors. His life's work and the primary objectives of his career were concentrated toward producing better newspapers. In this ambition he labored faithfully and well: first, to provide a constantly improved newspaper for his own local community; second, as Chairman of the APA Legislative Committee and in many other opportunities for leadership, he sought to create a better climate for newspaper growth and service because he believed, with a deep conviction, that better newspapers would encourage and be a major factor in better communities;

AND WHEREAS within the fresh memory of many members of this legislative body, we know that Bonnie Hand, over a period of many years, always came before this body, its individual members and its various committees, in a manner which exemplified the highest ethical standards of a patriotic citizen striving for improvements which would directly or indirectly benefit all our people.

NOW, THEREFORE, BE IT RESOLVED by this House of Representatives of the Alabama Legislature in Regular Session assembled, that we pause in the performance of our duties to pay our respects, express our sorrow and condolences to the family of Bonnie Duncan Hand, and in this manner acknowledge our appreciation for the noble and constructive life he lived among us.

BE IT FURTHER RESOLVED that a duly authenticated copy of this Resolution shall be sent by the Clerk to Mrs. Pearl Hand of LaFayette, and true copies thereof shall be released by him to the press.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 24, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Higginbotham, Brassell and Ellis:

H. J. R. 28. WHEREAS the Auburn University baseball team, under the able leadership of Coach Paul Nix, has again concluded a most successful season, winning the Southeastern Conference Championship, and as champions, have achieved continued success in representing the Conference at the NCAA District Three finals in North Carolina, winning the District Three title by a brilliant victory over nationally third-ranked Clemson, and thereby qualifying to enter NCAA College World Series at Omaha, Nebraska; and

WHEREAS Southeastern Conference baseball is known nationally for teams of outstanding athletic ability, superior coaching and team spirit, frequently earning prominent positions among the nations highest ranked teams; and

WHEREAS the accomplishments of the Auburn Baseball team are in the best tradition of Southeastern Conference baseball, and characteristic of the distinguished record of athletic attainment of Auburn University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend hearty congratulations to Coach Nix and the individual members of the Auburn baseball squad for their achievement in winning the Southeastern Conference baseball championship, and wish them great success in the final rounds of the NCAA play-off.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Coach Paul Nix, Auburn University, Dr. Harry M. Philpott, President of Auburn University, and to the Lee County Bulletin and Opelika Daily News.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 28, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill, Lybrand, Hain, Smith (C), Mathews, McLain, Pennington, Pruitt, Manley and Stembridge:

H. J. R. 25. WHEREAS, This Legislature has followed with growing alarm the number of incidents across this Nation and even in this

State which have taxed local law enforcement officials beyond the capacity of their resources, and

WHEREAS, These occurrences of lawlessness have caused grave dangers to the lives and property of the citizens of this Nation, indeed causing loss of life, countless injuries, and property damage and destruction running into the millions of dollars,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA that in order to adequately insure the safety and security of the citizens of this State and their property, it is the sense and judgment of this Legislature that all local law enforcement units, both County and Municipal, proceed immediately to organize auxiliary police forces within their respective local jurisdictions; said forces to be based in size on a formula to be established on a population basis by the Department of Public Safety and furnished to the said local law enforcement units by said Department, and

BE IT FURTHER RESOLVED that these said local units of auxiliary police be trained and equipped as required in order that they may provide additional protection for the lives and property of the citizens of this State should any occasion of extraordinary circumstance arise which would dictate and necessitate their use, and

BE IT FURTHER RESOLVED that the Department of Public Safety is hereby directed to assist and cooperate with all local law enforcement units, both County and Municipal, in the selection and training of said auxiliary police forces.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 25, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. House:

H. J. R. 26. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we congratulate and salute Mr. and Mrs. Louis J. Gloor, of Burlington, Iowa, the parents of our distinguished colleague, Representative Tom Gloor, on the occasion of their Golden Wedding Anniversary, which they celebrated May 16, 1967. We wish for Mr. and Mrs. Gloor many happy returns and hereby express our hope that they will enjoy many more years in their successful union.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, H. J. R. 26, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jackson (T):

H. J. R. 27. WHEREAS American Steel producers are faced with competition from foreign governments as well as foreign steelmakers in their battle for world steel markets and thus need some help from our government to equalize competition, and

WHEREAS among the ways foreign governments help stimulate steel sales abroad, include tax rebates and subsidies, special depreciation allowances, permission to form cartels, grants for export trade promotion and other incentives, and

WHEREAS these stimulants have induced foreign steel producers to resort to extremely aggressive pricing policies when selling steel abroad. And when it comes to invading America's domestic market, foreign steelmakers, have had the additional advantage over the United States producers of labor and capitol costs that are only a fraction of our own, and

WHEREAS consequently, foreign steel has moved into the United States at prices that bear no relationship to our costs, at prices frequently lower than what is charged consumers in the country from which the steel originates, and

WHEREAS American steel going abroad must hurdle such obstacles as tariffs that can be more than double the American duty as well as a battery of non-tariff barriers, and

WHEREAS the steel industry has asked Congress to impose a temporary levy on imports to help make competition more equitable; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we support the American steel industry and the American steelworkers in their efforts to reach a more competitive status and we urge the Alabama delegation in Congress to use their vote, power and influence to effect this purpose.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Alabama Congressional delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Messrs. Morrow, Childs, Hawkins, Dominick, Bailes, Gilmore and Vacca, the Rules were suspended and the Resolution, H. J. R. 27, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Bank and Brown:

H. J. R. 29. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That the Clerk of the House and the Secretary of the Senate shall each be entitled to an additional 10 dollars a day as pay for their services, which shall be paid in the manner and from the funds provided by law for the payment of their regular compensation.

RESOLVED FURTHER, That this resolution shall take effect as provided in Article 5, Section 125, of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lolley, the Rules were suspended and the Resolution, H. J. R. 29, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Shumate and Dobbs:

H. 101. To provide an expense allowance for the judges of all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, such allowances to be paid out of the general fund of the respective counties.

By Messrs. Shumate and Dobbs:

H. 102. To prescribe the salary of the clerks for all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

By Mr. Stone (With Notice and Proof):

S. 113. To authorize establishment and operation of branch banks and branch offices of banks in DeKalb County.

RESOLUTIONS

Mr. Folsom offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. WHEREAS many Alabamians and men throughout this nation are fighting and dying in Vietnam for their country and for the principles for which it stands, while in some areas of the United States, "Old Glory" is being shown more disrespect than respect by the peaceniks and beatniks who are burning and desecrating our flag and who at the same time are displaying the flag of the Viet Cong; and

WHEREAS on June 14, 1777, the Continental Congress adopted the original Betsy Ross design as our nation's flag and on June 14, 1954, the words "under God" were officially placed in our Pledge of Allegiance to the Flag; and

WHEREAS Alabama Congressman Bill Nichols, a former member of each of the houses of this legislature, and a distinguished veteran of World War II has initiated plans for Flag Day ceremonies in the United States House of Representatives; and

WHEREAS the people of the State of Alabama lead this nation in patriotism and have proven their willingness to stand up for our flag and our country during this time when our country is facing crisis after crisis throughout the world; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Wednesday, June 14, 1967, be designated as Flag Day in Alabama, a day when all the people of our state are urged to display and renew their allegiance to our flag.

RESOLVED FURTHER That Congressman Nichols, to whom a copy of this resolution shall be sent, be commended for initiating Flag Day ceremonies in the United States House of Representatives.

On motion of Mr. Folsom, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Radney, Lindsey and Torbert offered the following Senate Joint Resolution, to-wit:

Petitioning Congress to enact legislation making the malicious public burning of the American flag a federal crime.

S. J. R. 17. WHEREAS at a time when our nation has again been compelled to take up arms in defense of liberty and freedom, and in support of our commitment to preserve the right of self-determination of the people of South Vietnam and integrity of their government against the onslaught of communist aggression, we have witnessed recently in this nation certain deplorable conduct on the part of the lawless segment of our population opposed to American involvement in the struggle in Vietnam; and

WHEREAS the fundamental right of dissent and the freedom of expression guaranteed to every citizen of our great nation by the Bill of Rights of the Constitution necessarily entails the disciplined and responsible exercise of those rights, and freedom in the exercise of those rights does not include adhering to, or giving aid and comfort to the enemies of this nation; and

WHEREAS the malicious public burning of the symbol of this nation, the American flag, as a means of expressing opposition or protest is not dissent but an act most accurately characterized as treasonous and deserving swift punishment of its perpetrators; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully memorialize and petition the Congress of the United States to enact appropriate legislation making the malicious public burning of the American flag a federal crime.

BE IT FURTHER RESOLVED, That a copy of this resolution shall be sent to each member of the Congressional Delegation from the State of

Alabama, to the Secretary of the United States Senate, the Clerk of the House of Representatives of the United States, and the President of the United States.

On motion of Mr. Radney, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Radney offered the following Senate Resolution, to-wit:

S. R. 18. WHEREAS Corporal Harry M. Wadsworth, United States Marine Corps was killed in Vietnam on May 16, 1967 in the Battle of Hill 881 near Quanh Tii; and

WHEREAS prior to entering service Corporal Wadsworth had resided in Elmore County. He attended the schools in the county and graduated from Holtville High School in 1964; and

WHEREAS the State of Alabama has suffered a grievous loss in the untimely death of Corporal Wadsworth who gave his life in upholding the principles for which this country stands; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA That we extend our deepest and heartfelt sympathy to Corporal Wadsworth's parents, Mr. and Mrs. W. A. Wadsworth, and to his three brothers and three sisters in their great loss.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. and Mrs. W. A. Wadsworth.

On motion of Mr. Radney, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Lolley offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. WHEREAS, the cost of food, clothing, and all other necessities of life, have in the recent past shown a marked increase and,

WHEREAS, the compensation of the clerical and other employees of the Legislature has not increased in proportion to the increase in the cost of living and,

WHEREAS, the Legislature feels that to meet the increase in the cost of living the compensation of these employees should be adjusted.

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES concurring that all Legislative employees may be compensated by an additional compensation of Three dollars (\$3.00) per day at the discretion of the Clerk of the House and the Secretary of the Senate.

Which was read and referred to the Standing Committee on Rules.

Mr. Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. WHEREAS at the time the "Doctor for the Day" program was set up for the members of the Legislature, Act No. 259, H. J. R. 95, First Special Session 1965, provided for the purchase of medical supplies and equipment to be used in connection with the program; and

WHEREAS some of the supplies and equipment have not been and will not be used by the doctor of the day, and it is desirable that they serve some useful purpose; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all surplus medical supplies and equipment heretofore purchased in connection with the "Doctor for a Day" program, as ascertained by Dr. Grover Murchison, who is in charge of the program, shall be donated to Bryce Hospital, Tuscaloosa, Alabama.

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Goodwyn and Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. WHEREAS, the economy of Alabama has made tremendous strides forward in recent years which has resulted in better homes, environment and higher standards of living for those who can effectively utilize the opportunities of this day and time; and

WHEREAS, consumer credit by individuals and families has contributed to this progress but, unfortunately, there are those overburdened with financial difficulties and debts because of a lack of knowledge with respect to proper management of personal funds and the wise use of consumer credit; and

WHEREAS, the regulation and control of consumer credit transactions, and the counseling of those who have suffered anxiety, job inefficiency and family disruption, have traditionally been the responsibilities of the State and the citizens of the State; and

WHEREAS, in an effort to advise, counsel and educate needy consumers with respect to debt and money management, as well as adjusting the debts of those faced with financial difficulty, there has been established in Alabama a non-profit debt counseling service known as "Consumer Credit Counseling Service of Alabama", with its home office in Montgomery, Alabama; and

WHEREAS, all forms of news media, the Chamber of Commerce, the Bar Association and Bankers Association, have recognized and approved the outstanding service of the Consumer Credit Counseling Service of Alabama in its assistance to those faced with financial difficulty and loss of their self reliance due to financial burdens; and

WHEREAS, interested and trained personnel are available for debt counseling at no charge to the needy individual, the cost being borne through contributions from individuals, businesses and associations, on a community sponsored basis; and

WHEREAS, relief and hope to needy individuals and families have resulted from the activities of the Consumer Credit Counseling Service of Alabama,

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that the Legislature of Alabama does heartily commend the activities of the Consumer Credit Counseling Service of Alabama and those who are responsible for its organization and operation, and for their noteworthy endeavors in the sponsorship of this nonprofit Consumer Credit Counseling Service of Alabama, and express congratulations and best wishes for its continued growth, success and development and for its assistance in meeting the responsibility of good citizens to meet the challenges of our time.

Which was read and referred to the Standing Committee on Rules.

Mr. Cooper offered the following Senate Resolution, to-wit:

S. R. 22. WHEREAS Dr. Grover C. Murchison has recently been elected President of the Alabama Chapter of the American Academy of General Practice; and

WHEREAS Dr. Murchison, in addition to maintaining a large and successful medical practice, has always been an outstanding public servant, taking part in many civic and charitable projects at great personal sacrifice; and

WHEREAS in his capacity as the "on-call" physician when there was no "Doctor for the Day", Dr. Murchison skillfully ministered to our ailing members without hesitation, often in the middle of the night;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA that we wish to thank Dr. Murchison for his prompt and devoted attention to our emergency medical needs of the past special session, and his services to this body beyond the call of duty; and

BE IT FURTHER RESOLVED that we heartily congratulate him on his having been honored by his fellow physicians in his election as President of the Alabama Chapter of the American Academy of General Practice, to which a copy of this Resolution shall be sent.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. WHEREAS, Francis M. Dobson, a citizen of Alabama who rendered a great service to the state throughout his career as a civil engineer, road and bridge builder, and

WHEREAS, Francis M. Dobson did exhibit immeasurable service to the State of Alabama and to Wilcox County Alabama through his numerous activities, and

WHEREAS, Francis M. Dobson was affectionately known among his many friends and co-workers as "Mr. Frank", and

WHEREAS, it is appropriate that the bridge being constructed over the Alabama River between Camden and Yellow Bluff be named in memory of this Alabama citizen,

NOW, BE IT RESOLVED, by the Alabama Senate and the Alabama House of Representatives concurring, that the bridge over the Alabama River between Camden and Yellow Bluff be named "The Frank Dobson Bridge", and

BE IT FURTHER RESOLVED, that the State Highway Department is hereby authorized and directed to place appropriate markers on each end of the bridge designating its name as "The Frank Dobson Bridge".

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

ADJOURNMENT

At 3:40 P. M., on motion of Mr. Cooper, the Senate adjourned until Wednesday, June 14, 1967, at 2 o'clock P. M.

EIGHTH LEGISLATIVE DAY

WEDNESDAY, JUNE 14, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend J. O. Black, Pastor, Calvary Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Radney
Branyon	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Childs	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Leonard		

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Hawkins and Adams for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 215. To make further provisions respecting valuation and assessment of motor vehicles for ad valorem tax purposes, imposing additional duties on the commissioner of revenue and on tax assessors and prescribing penalties.

Committee on Finance and Taxation.

By Mr. Harris:

S. 216. To amend Section 8 of Act No. 225, H. 221, Special Session 1967, approved May 10, 1967, providing for the financing and construction of public roads and bridges in the state, authorizing the Alabama Highway Authority to sell and issue bonds, and providing for the use of the proceeds thereof; to fix the amount of the proceeds thereof to be used exclusively for paying the state's share for matching federal funds allocated to Alabama for highway construction.

Committee on Finance and Taxation.

By Mr. Giles:

S. 217. To amend Section 1 of Act No. 223 of the Special Session of 1967, approved May 10, 1967, which amends Section 692, among other sections of the motor vehicle license laws, Title 51, Code of Alabama 1940.

Committee on Finance and Taxation.

By Mr. Morrow:

S. 218. To authorize the governing body of each county in this state which, during its then next preceding fiscal year, collected as much as or more than \$40,000 from the special tax at a rate not exceeding one-fourth of one per centum levied in the county under the provisions of Section 215 of the Constitution of Alabama for payment of any debt or liability created for the erection of necessary public buildings, bridges or roads, to sell and issue interest bearing warrants payable solely out of and in anticipation of the receipt by such county of its share of the gasoline excise taxes levied by Section 647 of the Code of Alabama of 1940, as amended, and by Act No. 674 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, and required by law to be distributed to that county; to authorize each such county to pledge for payment of the principal of and interest on the warrants so issued so much as may be necessary for that purpose of the receipts by it from the said gasoline excise taxes and to specify the priority of such pledges; to provide the purposes for which the proceeds from the sale of the said warrants may be used; to authorize each such county to sell and issue refunding warrants for the purpose of refunding the principal of outstanding warrants of the county together with the interest accrued thereon and any premium necessary to retire the warrants so refunded, whether such outstanding warrants were issued under this act or under any other law in effect at the time of the issuance thereof; to prohibit any county while subject to this act from issuing warrants payable from any part of the proceeds from the said gasoline excise taxes except under the provisions of this act; to repeal Act No. 728 adopted at the 1953 Regular Session of the Legislature of Alabama; and to repeal all general, special and local laws to the extent of any conflict with the provisions hereof.

Committee on Finance and Taxation.

By Mr. Morrow:

S. 219. To prohibit the false personation of a peace officer of this state and to provide a penalty therefor.

Committee on Judiciary.

By Mr. Morrow:

S. 220. Relating to crimes and offenses; prohibiting the concealment of material facts or the making of certain false statements or writings in matters within the jurisdiction of any department or agency of this State; prescribing penalties.

Committee on Judiciary.

By Mr. Torbert:

S. 221. To regulate further certain credit transactions; requiring creditors to disclose finance charges made in connection with the granting or extending of such credit; requiring the superintendent of banks to enforce this act and authorizing him to make rules and regulations relative thereto; and prescribing penalties.

Committee on Corporations.

By Messrs. Goodwyn and Pierce:

S. 222. To amend Section 366 and Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Committee on Finance and Taxation.

By Messrs. McDermott and Pelham:

S. 223. Proposing an amendment to the Constitution of Alabama relative to the mode of amending the Constitution.

Committee on Constitution and
Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Turner:

S. 224. To apply only in counties having populations of not less than 14,900 nor more than 15,000 according to the most recent federal decennial census, providing clerk hire allowances for certain county officers.

Committee on Local Legislation No. 1.

By Mr. Turner:

S. 225. To provide an expense allowance for the district attorney of the Second Judicial Circuit of Alabama, payable by the counties composing said circuit; providing an effective date and a termination date for operation of the Act.

Committee on Local Legislation No. 1.

By Mr. Turner:

S. 226. To provide an additional expense allowance to the judge of the second judicial circuit of Alabama payable by the counties composing said circuit; providing for an effective date and a termination date for the operation of the act.

Committee on Local Legislation No. 1.

By Mr. Childs:

S. 227. To regulate visiting speakers at state supported colleges and universities.

Committee on Education.

By Mr. Carr:

S. 228. To levy a privilege or license tax on dealers of minnows; defining terms; providing for the disposition of funds; and prescribing penalties for violations.

Committee on Forestry and Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Springer, Cook (Coffee), Meeks, Perloff, Money, Jackson (T), Gloor, Adwell, Yeilding, Crane, Ellis, Cherner, House, Cook (Jefferson), Harris, Snell, McCorquodale, Owens (W), Brannan, McElhaney, Berryman (R) and Young:

H. 88. To provide for the delegation of the audit function of hospitals and nursing homes by the Chief Examiner of Public Accounts to independent Certified Public Accountants.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 88. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Foshee and Jackson (F):

H. 52. To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GENEVA

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Ala-

bama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Samson, Geneva County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Samson and in addition thereto the following described territory, to-wit:

The Pine Crest sub-division, being a portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 27, Township 2 North, Range 20 East, Geneva County, Alabama. A copy of the map or plat as duly recorded in the Probate Office of Geneva County, Alabama, being attached hereto and made a part hereof.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

I, Orsen B. Spivey, Publisher of The Samson Ledger, a weekly newspaper published in Samson, Geneva County, Ala., do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of 4 consecutive weeks, commencing March 9, 1967, and ending March 31, 1967.

Witness my hand this 4th day of April, 1967.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 4th day of April, 1967.

KAROL L. FLEMING,
Notary Public.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 125. To amend Act No. 64, H. B. 17, Special Session 1967, entitled "An Act to provide further for the compensation of the circuit court judges of the seventh judicial circuit."

Also:

By Mr. Headley:

H. 126. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of

his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and an application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

Be It Enacted by the Legislature of Alabama:

Section 1. That there be and hereby is created and established, in and for the County of Chilton, Alabama, a Law and Equity Court which shall be called the "Law and Equity Court of Chilton County, Alabama", which shall be a Court of record and which shall have and exercise concurrent jurisdiction, authority, functions and powers now conferred or which may be hereafter conferred upon the several Circuit Courts of the State of Alabama, provided, however, that the Law and Equity Court of Chilton County, Alabama, shall not have final jurisdiction to try persons indicted and charged with felonies, nor organize and impanel a Grand Jury, nor have Civil jurisdiction on the law side of said Court of causes over \$1,000.00, exclusive of interest and costs; and with no right to a Jury trial, except in equity cases, or other causes, where a jury trial is a matter of right. Said Law and Equity Court of Chilton County, Alabama, shall have concurrent jurisdiction with the Justices of the Peace in Chilton County, Alabama, in all matters whatsoever, including preliminary hearing of persons charged with a felony.

Section 2. That the Honorable Robert L. Bower, who was elected to the office of the Judge of the Chilton County Law and Equity Court, and who is now serving as Judge of said Chilton County Law and Equity Court, shall hold the office and be the Judge of the Law and Equity

Court of Chilton County, Alabama, created by this Act, until the second Tuesday after the first Monday in January, 1969, and until his successor shall be elected and qualified. A Judge of the said Law and Equity Court of Chilton County Alabama, shall be elected by the qualified electors of Chilton County, Alabama, at the general election to be held in 1968 and each six years thereafter and the term of the Judge of said Court shall commence on the second Tuesday after the first Monday in January, following his election and shall continue for a period of six years and until his successor shall be elected and qualified. The Judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by Judges of the Circuit Courts of Alabama. That said Judge shall be a qualified elector of Chilton County, Alabama, and shall be learned in the law and shall be a member of the Alabama Bar in good standing and shall be not less than 25 years of age. Said Judge may be removed from office in the same manner and for the causes now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the Judge of said Court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State.

Section 4. That the Clerk of the Circuit Court of Chilton County, Alabama, shall be Ex-Officio Clerk of the Law and Equity Court of Chilton County, Alabama, and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be, allowed to Circuit Court Clerks as provided in Code of Alabama 1940, Title 11, Section 21, and Act No. 741, S. 307, Regular Session 1957 (Title 11, Section 89 (2), Recompiled Code 1958), and the same shall be collected as such fees and commissions are collected in the Circuit Courts; and said Clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court. The Register of the Circuit Court in Equity shall be Ex-Officio Register of the Law and Equity Court of Chilton County, Alabama, and shall have the powers and discharge the duties which shall develop upon the Register of the Law and Equity Court of Chilton County, Ala., and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now or as may hereafter be allowed to the Register of the Circuit Courts in Equity, and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. That the Judge of said Law and Equity Court of Chilton County, Alabama, shall receive a salary of not less than \$11,400.00 per annum payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 6. That Honorable Lawrence F. Gerald, Jr., Deputy Solicitor of Chilton County, Alabama, who was elected to said office at the general election held in 1966, shall be the Solicitor of the Law and Equity Court of Chilton County, Alabama, during the term of office for which he was elected at said election, and thereafter the duly elected Deputy Solicitor of Chilton County, Alabama, shall be the Solicitor of the said Law and Equity Court of Chilton County, Alabama, and all solicitor's fees taxed and collected in said Court shall be paid into the county treasury of Chilton County, Alabama, for the benefit of the general fund of said county, or such other fund or funds as may hereafter be provided.

It shall be the duty of said Solicitor to prosecute all criminal causes pending in said Court, and to assist the Judge of the Court in the handling of Juvenile cases, upon the request of the Judge or the Department

of Pensions and Security, and for the extra duties required of the Deputy Solicitor he shall be paid \$100.00 per month, in addition to the regular \$200.00 salary authorized by Act No. 497 of the Acts of Alabama Regular Session 1955 so that his total salary shall be \$300.00 per month, and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama, to pay said extra compensation to the Deputy Solicitor at the end of each month, taking his receipt for the same.

Section 7. That the said Law and Equity Court of Chilton County, Alabama, shall be held at the Courthouse of Chilton County, Alabama, and that said Court shall be open at all times for the trial of cases and transaction of business. In the case of sickness or disqualification of the Judge of said Court, the law applicable to the appointment and service of special Judges in the Circuit Court shall apply, and said special Judge shall receive the same pay as the special Circuit Judges receive for their services, and the same to be paid out of the general funds of Chilton County, Alabama, on the certificate of the Clerk or the Register making the appointment. The Judge of said Court shall be subject to the same penalties for failure to attend upon the Court as are Circuit Judges of this State. The Judge of said Court shall keep an office in the Courthouse of Chilton County, Alabama, or such other suitable place as may be provided by the Board of Revenue and Control of Chilton County, Alabama, and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama, to provide such office and to supply the same with all furnishings, fixtures, equipment, library, stationery, telephone and other supplies necessary to enable the Judge of said Court to efficiently conduct the affairs of his office.

Section 8. A session of said Court for the trial of Criminal cases shall be held on the first Monday of each month and at such times as the Judge of said Court may order. A session of said Court for the trial of civil cases shall be held on the second Monday in January, April, July, and October of each year. A session of said Court for the trial of Equity cases shall be held on the fourth Monday in January, April, July, and October. The Judge of said Court may call a special session for the trial of any cases pending on the dockets of said Court, as is provided or may hereafter be provided by law for the calling of special sessions for the trial of causes in the Circuit Court.

Section 9. Any party feeling aggrieved from the judgment of said Court rendered in any civil cause, may appeal from said judgment to the Circuit Court of Chilton County, Alabama, by giving security for the costs, the same to be approved by the Clerk or Judge of said Law and Equity Court of Chilton County, Alabama, or if the party desiring to appeal, wishes to supersede the judgment of said Court, then he may give the security for the cost, and a supersedeas bond in double the amount of the judgment, to be approved by the Judge or Clerk of said Court. All appeals from the judgments in Civil causes in said Court shall be taken to the Circuit Court within thirty days after the rendition of the judgment, and all appeals taken from said Court shall be tried de novo in the Circuit Court in any case appealed from said Court to the Circuit Court. The appellant, within ten days after the perfection of his appeal, and the appellee, within ten days after notice of appeal is served on him may have the issues of fact tried by jury in the Circuit Court by filing with the Circuit Court a written demand for a trial of said cause by a jury.

Section 10. In all criminal cases of conviction in said Law and Equity Court of Chilton County, Alabama, the defendant shall have the right of appeal within 30 days to the Circuit Court, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond

to be in such penalty as the Judge of the said Law and Equity Court of Chilton County, Alabama, may prescribe, and to be approved by the Judge or Clerk of said Court. If the defendant does not make the bond required he shall remain in custody and said defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury, otherwise said case shall be tried by the Court without a jury.

Section 11. That the Supreme Court and Court of Appeals of this State shall have appellate and supervisory jurisdiction over said Court and the Judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State and the Judges thereof, and appeals may be taken from the orders and judgments of said Court while sitting as a Court of Equity to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the state, (except as herein provided for appeals to the Circuit Court). The same rules, regulations and laws applicable to appeals from the Circuit Court in Equity to the Supreme Court or Court of Appeals shall govern appeals in all Equity cases from the Law and Equity Court of Chilton County, Alabama, unless otherwise provided in this Act.

Section 12. That any civil and equity cases now or hereafter pending in the Circuit Court of Chilton County, Alabama, may be, by agreement of the parties thereto, transferred from the Circuit Court to the Law and Equity Court of Chilton County, Alabama, and any civil or equity cases hereinafter pending in the Law and Equity Court of Chilton County, Alabama, may be, by agreement of the parties thereto, transferred from said Law and Equity Court of Chilton County, Alabama, to the Circuit Court of Chilton County, Alabama.

Section 13. That the procedures, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Law and Equity Court of Chilton County, Alabama, except as otherwise provided herein.

Section 14. The Sheriff of Chilton County, Alabama, shall in person or by a deputy, or deputies appointed by him, said appointment to be approved by the Judge of said Court, be required to attend upon said Court in preserving order, and execute all writs of process and perform such other duties in all respects as in the Circuit Court of this State, and each deputy required, not exceeding three, for attendance upon said session of said Court, shall receive the sum of \$3.00 per day, payable out of County treasury upon the warrant of the Judge of said Court, provided that such deputies shall not receive pay except for the time that the Court is actually in session and none of such compensation to the deputies shall be shared in by the Sheriff, and no compensation shall be paid to those deputies of the sheriff who are paid regular monthly salaries by the county; and for the service by the Sheriff of the process of said Court, he shall receive compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 15. That if for any reason a forfeiture be taken on any bond on the criminal side of said Court, the Court may order the alias *capias* returnable *instanter* or in ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the Court is hereby authorized and empowered to make the judgment final.

Section 16. That the Judge of the Law and Equity Court of Chilton County, Alabama, shall adopt a seal for the law side of the docket of the Law and Equity Court of Chilton County, Alabama, which shall be kept in the custody and control of the Clerk of the Court.

Section 17. That the Judge of the Law and Equity Court of Chilton County, Alabama, shall adopt a seal for the equity side of the docket of the Law and Equity Court of Chilton County, Alabama, which shall be kept in the custody and control of the Register of the Court.

Section 18. When the summons, writ of attachment, summons and complaint in attachment, or other process, either in law or in equity, has been executed on the defendant, or service perfected on him, as required by law, the defendant shall appear and plead, answer or demur thereto, within the time now or which hereafter may be provided by law, in the Circuit Courts of Alabama.

Section 19. That said Law and Equity Court of Chilton County, Alabama, shall have exclusive jurisdiction over children, and the Judge of said Law and Equity Court of Chilton County, Alabama, shall be the Judge of the Juvenile Court; it being the intention herein to confer complete, full, unlimited and exclusive jurisdiction upon the Law and Equity Court of Chilton County, Alabama, of all juvenile matters and juvenile jurisdiction in Chilton County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383, both inclusive of the Code of Alabama, Recompiled 1958, or as hereafter amended, and appeals in such cases shall be as provided by law. The Clerk of the Circuit Court is hereby made the Clerk of such Juvenile Court.

Section 20. That this Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3. Section 89 to 104, both inclusive, of the Code of Alabama, Recompiled 1958, or as hereafter amended which Article 3 is entitled "Desertion and Non-Support." That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the Judge of the Law and Equity Court of Chilton County, Alabama, shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Law and Equity Court of Chilton County, Alabama, of all domestic relations matters arising under Title 34, Article 3. Section 89 to 104, both inclusive, of the Code of Alabama, Recompiled 1958, as amended or hereafter may be amended.

Section 21. Prosecutions for misdemeanors committed in Chilton County, Alabama, may be instituted in the said Court by making an affidavit before the Judge of said Court or the Clerk, the writ on said affidavit to be issued by Judge or Clerk of said Court and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a Grand Jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama, Recompiled 1958. All affidavits or warrants for criminal or quasi criminal acts of whatever kind issued by the Justices of Peace of Chilton County, Alabama, shall be returnable to this Court.

Section 22. The Judge of said Court shall have power to issue search warrants, writs of habeas corpus, prohibition, certiorari, quo warranta, injunctions, mandamus and all other special and extraordinary writs, and the procedure, practice and rules of Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided by law, except as otherwise provided in this Act, shall prevail in the Law and Equity Court of Chilton County, Alabama, and the Judge

thereof shall have the same powers and authority, including punishment for contempt, as is or hereafter may be conferred upon the Judges of the Circuit Courts of Alabama, unless otherwise provided in this Act.

Section 23. The Judge of the Law and Equity Court of Chilton County, Alabama, shall have the authority and power to appoint a competent court reporter to serve the Court and report necessary cases tried in said Court and said court reporter shall be paid out of the General Fund of Chilton County, Alabama, a salary of \$300 per month payable at the end of each month on a certificate and order of the Judge of said Court. The Judge of said Court may remove the court reporter, at his will, without assigning any cause for his action in doing so. The court reporter, when not actively engaged in the work of the Court as court reporter, shall serve as secretary to the Judge of said Court in his office. In addition to the compensation herein provided, said reporter shall be entitled to tax and collect from the litigants or their attorneys for whom he or she is making a transcript of the evidence, the sum of twenty cents for each one hundred words of said transcript and the sum of five cents for each one hundred words of each carbon copy thereof made at the same writing, and when said transcript is made the reporter shall append thereto his or her certificate to the correctness of the same as such official reporter. The Court reporter's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 24. That from and after the passage of this Act all fines and forfeitures assessed and collected in said Court shall be deposited in the Fine and Forfeiture Fund of Chilton County, Alabama.

Section 25. That claims accruing in the Law and Equity Court of Chilton County, Alabama, will be claims against said Fund and such claims must be paid in the order in which they are registered, as provided by law.

Section 26. It shall be the duty of the Clerk of said Court to keep a record upon which shall be recorded all affidavits made before the Judge or Clerk of said Court or returnable by a Justice of the Peace or Judge of an Inferior Court in said County, to said Court and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the Clerk shall receive a fee of seventy five cents to be taxed as costs in the event of the defendants conviction.

Section 27. Judgments or decrees rendered by the Law and Equity Court of Chilton County, Alabama, shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as it is now, or as hereafter may be provided by law for courts of record of this State, upon the filing in the Office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk or Register of the said Court as it now or as hereafter may be provided by law; and the said judgments or decrees may be revived in the manner now, or as hereafter may be provided by law.

Section 28. That final judgments rendered in said Court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of the said Court, as if the term of Court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearing when so made, or shall prevent parties from applying to the Court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 29. That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Chilton County, Alabama.

Section 30. That the Chilton County Law and Equity Court of Chilton County, Alabama, as created by Act No. 138, 1961 Legislature, page 2071, and The County Court of Chilton County as created by Chapter 6, Title 13 of the Code of Alabama, Recompiled 1958, be and the same are hereby abolished and from and after the passage of this Act shall no longer exist and no officers of this State shall collect any fees or salaries, because of said Courts, or for service rendered in said Courts and all cases pending in the Chilton County Law and Equity Court of Chilton County, Alabama, as created by said Act No. 138, 1961, Legislature of Alabama, when this Act becomes a law, shall immediately become pending upon the docket of the Law and Equity Court of Chilton County, Alabama, as though originally brought in said Court, and shall be called for trial as above provided, and all judgments and decrees heretofore rendered in the Chilton County Law and Equity Court of Chilton County, Alabama, and pending in said Chilton County Law and Equity Court of Chilton County, Alabama, shall be transferred to the Law and Equity Court of Chilton County, Alabama, and said Law and Equity Court of Chilton County, Alabama, shall have the same powers and control over such judgments and decrees and shall issue executions and other processes thereon in all respects as if the judgments and decrees had been originally rendered in the Court.

Section 31. That a trial tax of Three Dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said Law and Equity Court of Chilton County, Alabama, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said Law and Equity Court of Chilton County, Alabama, into the general fund of the County as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars, or less, a trial tax fee of only \$1.00 shall be imposed and collected provided further that in all criminal cases where the defendant is charged with violating any of the provisions of Title 35 of the Code of Alabama, Recompiled 1958, and pleads guilty, no trial tax shall be imposed or collected.

Section 32. Witnesses summoned and attending the Law and Equity Court of Chilton County, Alabama, shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court of Chilton County, Alabama, and also witnesses summoned for the State in preliminary hearing shall be paid in the same manner as State witnesses are paid in the Circuit Court.

Section 33. That one-half of all fines and forfeitures paid by persons convicted in said Court in all cases where arrests are made by a state officer of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the Fine and Forfeiture fund of Chilton County, Alabama, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 34. The Judge of said Court shall have authority, in his discretion to suspend the payment of any fine, or the serving of any term of imprisonment, whether in jail or at hard labor, or both such fine and sentence, and to place such accused person on probation for a period of time not to exceed twelve months, and upon such terms and conditions as to the Judge may seem proper. The Judge of said Court

may, further, in his discretion and as part of the judgment, require such person to enter into a bond, with or without surety, in such terms as the court may direct to comply with the orders of the Court. The Judge shall have authority, in his discretion, and upon such information as he may deem sufficient, to revoke such suspension of fine, or imprisonment, or both, upon the violation by the probationer of the conditions and terms upon which such suspension was made. Such revocation by the Judge shall immediately put into effect the original fine, or original term of imprisonment, or hard labor, or both such fine and term; and the Judge may thereupon issue warrant of the arrest and order of commitment to enforce the judgment as if there had been no suspension.

Section 35. That the Ex-Officio Clerk and Ex-Officio Register, are hereby authorized and required to requisition all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said Court as authorized by Act No. 872, Regular Session 1951 (1951 Acts of Alabama, p. 1505).

Section 36. That if, for any reason, any section, provisions or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to the clause or section.

Section 37. That all laws in conflict with this Act are hereby repealed.

Section 38. That this Act shall become effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Editor of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-6-67, 4-13-67, 4-20-67, and 4-27-67, all in the year 1967.

BOB TUCKER.

Sworn to and subscribed before me May 2, 1967.

PLUMA B. MUNCY,
Notary Public.

Also:

By Mr. Cook (Coffee):

H. 128. Relating to Coffee County, further regulating the compensation of the members of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF COFFEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Coffee County, further regulating the compensation of the members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Coffee County board of education shall each receive from the public school funds of the county fifteen dollars (\$15) per day, and their actual travel and hotel expenses incurred in attending meetings and, transacting the business of the board. Board members shall not be compensated for more than twenty-four days in any one year, and shall be paid in the same manner as teachers are paid.

Section 2. This act shall become effective as to all members of the county board of education immediately after the expiration of the term or terms of office of the member or members whose term or terms first expire as prescribed in Amendment 92 of the Alabama Constitution of 1901.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COFFEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucile McRae, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The Elba Clipper, a newspaper of general circulation published in Coffee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 3-23-67, 3-30-67, 4-6-67, and 4-13-67, all in the year 1967.

LUCILE McRAE.

Sworn to and subscribed before me April 24, 1967.

NADINE H. FULLER,
Notary Public.

Also:

By Messrs. Jackson (F) and Foshee:

H. 129. Relating to the City of Opp in Covington County: Authorizing the City of Opp as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporations and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Opp in Covington County: Authorizing the City of Opp as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporations and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only to the City of Opp in Covington County.

Section 2. The municipal corporation of the City of Opp in Covington County shall have the right to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to their residents and residents of surrounding territory.

Section 3. The municipal corporation is authorized to construct, lease, purchase or otherwise acquire television lines or cables for the furnishing of television service from any point in this state or any other State to said municipal corporation and surrounding territory.

Section 4. For the purposes of this Act such municipal corporation may exercise the right of eminent domain. Such eminent domain proceedings shall be conducted in the manner now provided by law.

Section 5. a) In payment for the purchase, construction, acquisition, extension or maintenance of such television cable system, the said municipal corporation may issue its bonds in the manner provided by law.

b) Such municipal corporation, in order to secure the prompt and faithful payment of the principal and interest of all debts, bonds or other evidences of indebtedness incurred or issued by it for the construction, acquisition, extension or maintenance of a television cable system may execute a mortgage or deed of trust upon any or all of such system and all property used in connection therewith, including the franchise or any part thereof.

c) Such mortgage or deed of trust may contain such terms, conditions, covenants and warranties for the protection of the municipal corporation and holders of such bonds or securities issued by such municipal corporation as may be determined and agreed upon by the governing body of the municipal corporation and persons, firms or corporations owning such debts, bonds or securities.

d) Such mortgage may provide that in the event of the foreclosure of such mortgage or deed of trust, that the purchaser at such foreclosure sale may acquire the right, privilege and franchise of operating such system as may be so sold or conveyed, and such purchaser or his

vendee may have the right, authority and privilege to carry on and operate such system in the same manner, on the same terms and to the same extent as the municipal corporation is authorized to operate until the municipal corporation may redeem such system from such mortgage sale.

e) Such mortgage or deed of trust may provide that during the ownership of the system by the municipal corporation, its control of the service of the system shall not be diminished or interfered with by the grant of any other franchise for the operation of any other plant or system for similar purposes; and that such rates and charges shall be established and maintained as are sufficient to meet the costs of operation and maintenance; and such municipal corporation may pledge all of the receipts, earnings and revenues from the operation of the system for the payment of the debts, bonds or other evidences of indebtedness secured by such mortgages or deeds of trust.

Section 6. The municipal corporation furnishing television cable service pursuant to this Act shall have the right to require any person furnishing television cable service to the public in this State to interconnect the television cable, lines, facilities or systems furnishing such service with, or otherwise make available such cables, lines, facilities or systems to the municipal corporation's television cable, lines, facilities or system in order to provide a continuous line of communication for the municipal corporation's subscribers. In the event such person and the municipal corporation shall be unable to agree upon the terms and conditions of such interconnection, including compensation therefor, the Alabama Public Service Commission, upon the request of the municipal corporation, shall establish such terms and conditions which shall be reasonable and nondiscriminatory.

Section 7. The municipal corporation shall have all the power and authority necessary and proper to the exercise of the powers conferred on it by this Act and in effectuating the purposes of this Act.

Section 8. For the transaction of business pursuant to this Act, the said municipal corporation shall be exempt from the jurisdiction and control of the Alabama Public Service Commission with respect to such business.

Section 9. All laws or parts of laws in conflict with this Act are repealed.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on March 16, March 23, March 30, and April 6, all in the year 1967.

ROBERT D. BURGESS.

Sworn to and subscribed before me May 5, 1967.

TOMMIE SUE AMMONS.

Also:

By Messrs. Jackson (F) and Foshee:

H. 130. Relating to Covington County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(No. 9525:2-17-67)

A BILL
TO BE ENTITLED
AN ACT

Relating to Covington County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners or other like governing body of Covington County is hereby authorized to appropriate or expend county funds for the purpose of providing contributions for the use of any organized and established volunteer rescue squad operating within the county. After the county governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions, payment shall be made from any funds in the county treasury not otherwise appropriated upon the warrant of the chairman of the county governing body.

Section 2. The governing body of any municipality in Covington County is likewise authorized to contribute municipal funds to such rescue squad when its governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions. Payment shall be made from municipal funds upon the warrant signed by the mayor or other presiding officer of the municipal governing body.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 9, March 16, March 23, and March 30, all in the year 1967.

ROBERT D. BURGESS.

Sworn to and subscribed before me May 5, 1967.

TOMMIE SUE AMMONS.

Also:

By Messrs. Starnes, Drake and McDonald:

H. 142. Relating to counties having populations of not less than 47,000 nor more than 49,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of such counties.

Also:

By Messrs. Springer, Cameron and McElhaney:

H. 150. To apply to all counties having populations of not less than 150,000 nor more than 199,000; according to the most recent federal decennial census; to confer on such probate courts general equity jurisdiction concurrent with that of the circuit courts in equity of this State in the administration of estates; to limit the right to exercise such jurisdiction only to such probate judges as may be learned in the law; and to confer only on such judges as may be learned in the law the same powers and authority which judges and registers of the circuit courts of this State now have in connection with the administration of such estates in the circuit courts, in equity; to provide for the pleading, practice and procedure in such matters, and for the enforcement of judgments and decrees of such courts, including the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this Act; to authorize and empower such probate judges to delegate and assign certain duties, authority and functions to the chief clerk of the probate court; and to repeal conflicting laws including the provisions of Act No. 281, H. 559, Regular Session 1947 (Acts 1947, p. 140) in conflict herewith.

Also:

By Mr. Tuck:

H. 159. Relating to Pickens County; prescribing the times when county offices may be closed.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County; prescribing the times when county offices may be closed.

Be It Enacted by the Legislature of Alabama:

Section 1. The offices of all county officers that are located in the courthouse or in other buildings used for county purposes in Pickens County, other than the sheriff's office, may be closed all day Saturday each week except during the period between October first and November sixteenth of each year, and at noon on Saturday each week during that period, in addition to Sundays and legal holidays.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner and publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1967.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me May 4, 1967.

ROSELYN R. DEWITT,
Notary Public,
Pickens County, Alabama.

Also:

By Messrs. Dobbs and Shumate:

H. 163. Relating to Walker County; providing an additional clerk hire allowance for the circuit clerk.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; providing an additional clerk hire allowance for the circuit clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. The circuit clerk of Walker County shall be entitled to an additional allowance of seventy-five dollars (\$75) per month for clerk hire. Such allowance, which shall be in addition to all such allowances now provided by law to the circuit clerk, shall be paid out of any available funds in the county treasury for such purpose.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carmon A. Parsons, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1967.

CARMON A. PARSONS.

Sworn to and subscribed before me May 3, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Mr. Holladay:

H. 181. Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County the county superintendent of education shall be entitled to such compensation, not less than \$10,000 per

annum, as the county board of education may prescribe. However, the compensation of the superintendent of education shall be fixed and determined before he enters upon the term for which he was elected or appointed and shall not be increased nor diminished during the term.

Section 2. All laws or parts of laws which conflict with this Act, including Act. No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1. p. 485), are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-13, 4-20, 4-27, and 5-4, all in the year 1967.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1967.

ETHEL BLAIR,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 52, 125, 126, 128, 129, 130, 142, 150, 159, 163 and 181. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Culver, Brown and Bank:

H. J. R. 30. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new highway bridge spanning the Warrior River between the cities of Tuscaloosa and Northport which is to be constructed in Tuscaloosa County shall be named, designated and known as the Hugh Rowe Thomas Bridge in memory and in honor of the late Hugh R. Thomas.

RESOLVED FURTHER, That the Highway Department shall cause to be erected at such bridge appropriate signs and markers showing the name by which it is officially designated.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 30, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Shumate and Dobbs:

H. J. R. 31. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That we note with pride and gratification the tremendous improvement in the public roads and highways of this State that has been made during the time that Mr. Herman Nelson has been State Highway Director. Not only have many miles of new super highways been constructed, but also many miles of existing highways and roads have been modernized, maintained and improved under his able supervision and direction. We are particularly pleased to see how much thought and effort Mr. Nelson and his co-workers have devoted to eliminating traffic hazards and making our highways safer for the travelling public.

BE IT FURTHER RESOLVED, That we commend Mr. Nelson and all the employees of the State Highway Department who have participated in planning and executing Alabama's recent highway development program for the fine work they have already completed and also for that which is currently in progress. We especially thank them for having painted luminescent white stripes along the outer edges of hundreds of miles of black top roads. No doubt this white stripe has prevented many a motorist from running off the road and having a serious, or even a fatal accident; thus many lives, much suffering and countless dollars have been saved.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Folsom, the Rules were suspended and the Resolution, H. J. R. 31, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 10. Relative to expressing thanks and grateful appreciation for the delightful food and entertainment provided the members of the Legislature by the Alabama Farm Bureau.

Also:

S. J. R. 11. Expressing deep gratitude and appreciation to the Mobile legislative delegation for the most delightful and enjoyable seafood dinner.

Also:

S. J. R. 14. Relative to commending the Sertoma Club of Mobile.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Nabors:

S. 5. To change the time of meeting of the legislature in regular sessions; amending Code of Alabama Title 32, Section 4.

By Mr. Nabors:

S. 9. To amend Code of Alabama 1940, Title 36, Section 15, which relates to drivers of motor vehicles following other vehicles, so as to increase the distance which the driver of a truck must maintain between his truck and the truck which he is following.

By Mr. Lolley:

S. 51. To amend Section 7 of Title 28 of the Code of Alabama (1940) to provide that the validity of a life insurance policy shall not be contested after it has been in force during the lifetime of the insured for a period of two years from its date of issue with certain exceptions; to provide a similar period after which the validity of a reinstated life insurance policy or contract may not be contested for fraud or misrepresentations; to define the scope of such incontestable provision; and to provide that no plea of misrepresentation or fraud in the application for a life insurance policy shall be filed in any court unless accompanied by a payment into court of all premiums paid on the policy being contested.

By Mr. Dominick:

S. 82. To amend Act No. 563, Acts of 1965, Regular Session, page 1049, "To provide for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

By Mr. Goodwyn:

S. 147. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

By Mr. Albea:

S. 150. To amend further Code of Alabama 1940, Title 15, Section 318, providing for appointment of counsel for indigent defendants in capital cases.

By Messrs. Vacca, Bailes and Gilmore:

S. 158. To amend further Section 186 of Title 14, Code of Alabama 1940, which prescribes penalties for unlawful use, transportation, possession and sale of pistols.

By Mr. Vacca:

S. 159. To amend Act No. 674, Regular Session 1965 "To provide for the appointment, removal, and discharge of a legal representative to manage public assistance payments for certain public assistance applicants or recipients, and to prescribe the duties of such legal representatives" so as to dispense with the notice of hearing under certain conditions.

By Mr. Dominick:

S. 161. To amend Section 2 of Act No. 391, S. 33, Regular Session 1955 (Acts 1955, p. 926) an act regulating the sale, possession, displaying, offering for sale and use of fireworks in Alabama, so as to declare certain fireworks and pyrotechnics to be contraband and to constitute a nuisance and to authorize and direct their confiscation and destruction.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 176. To regulate the sale and distribution, advertisement or promotion of obscene matter, provide for determination of such obscene matter and prescribe penalties for such violations.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 179. To require law enforcement officers to report all arrests of persons charged with certain sex offenses and all courts having jurisdiction of such offenses to report all convictions therein of such offenses to the state department of public safety; to require the state department of public safety to adopt and maintain a system of registering or recording and indexing such information and making it available only to duly constituted law enforcement officers for the purpose of apprehending and convicting sex offenders and preventing and curtailing sex crimes; and to prescribe penalties.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 180. To require certain sex offenders to register with the sheriff of the county where they reside; to require and provide for maintenance of registers or rosters of persons registering under this act by the several sheriffs and by the state department of public safety; and to prescribe the punishment for wilful failure or refusal to so register.

By Mr. Turner:

S. 184. Relating to civil remedies and procedure; to provide for enjoining the unauthorized or unlawful practice of professions, occupations, or callings, and providing for retrospective operation of the Act.

By Messrs. Goodwyn & Pierce:

S. 197. To amend Section 7(2) of Title 58, The Code of Alabama of 1940, as recompiled in 1958, which Section relates to the execution of proxies by fiduciary holding corporate stocks by adding thereto provisions providing for the voting of corporate stocks when the same are registered in the name of a nominee of a fiduciary.

By Messrs. Goodwyn and Pierce:

S. 200. To amend Section 62 and Section 73 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 193 of Title 10 of the Code of Alabama of 1940," by recognizing that nominees of corporate fiduciaries hold shares of stock for more than one fiduciary account and may vote a part of said holding in one manner and another part in a different manner.

By Messrs. Goodwyn and Pierce:

S. 201. To amend further Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments of participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 and by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 190. To make an appropriation for the payment of expenses of the Legislature.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lolley (with notice and proof):

S. 210. To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

By Mr. Skidmore (with notice and proof):

S. 155. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

By Mr. Skidmore:

S. 156. To repeal Act No. 99, S. 79, Special Session 1967, approved April 7, 1967, relating to the Sixth Judicial Circuit.

By Mr. Clark:

S. 208. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

By Messrs. Merrill, Lybrand and Burgess:

H. 8. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing expense allowances for the tax assessor, tax collector, and circuit court clerk, and repealing conflicting laws.

By Messrs. Merrill, Lybrand and Burgess:

H. 9. To provide expense allowances for the circuit judges of the seventh judicial circuit; to fix the expiration dates of such expense allowances.

By Messrs. Merrill, Lybrand and Burgess:

H. 10. Relating to counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census; to authorize the county governing bodies of all such counties to provide an additional clerk-hire allowance to the circuit clerk.

By Mr. Pearson (with notice and proof):

H. 35. To amend Act No. 20, H. 1, approved March 11, 1965 (Acts, Special Session 1965, v. 1, p. 35), an act fixing the compensation of bailiffs serving in courts in Autauga County.

By Mr. Fine:

H. 58. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

By Mr. Fine:

H. 59. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

By Mr. Fine:

H. 60. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

By Mr. Fine:

H. 61. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

By Mr. Tuck (with notice and proof):

H. 89. To amend Act No. 284, H. B. 657, Regular Session 1947, an act authorizing the governing body of Pickens County to pay the compensation of a deputy sheriff other than the chief deputy.

By Messrs. Merrill, Lybrand and Burgess:

H. 110. To fix the compensation of certain county officers in all counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census.

By Mr. Turner:

S. 188. Relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment.

By Messrs. Springer, McElhaney and Cameron (with notice and proof):

H. 87. To amend Act No. 666, Acts of Alabama, 1957 relating to Montgomery County; changing the method of compensating the Register of the Circuit Court of Said County, fixing his compensation, providing for his deputies and assistants and the operation of his office, and for the disposition of costs and fees collected by him.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 167. To control, eradicate and prevent the spread of hog cholera disease among swine by authorizing the State Board of Agriculture and Industries to adopt rules and regulations governing the manufacture, sale, distribution and use of all products used for immunization, treatment and protection of swine from such disease; and to prescribe a penalty for violations of this Act.

Mr. Skidmore, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn & Giles:

S. 194. To amend Section 188, Section 204 and Section 207, Title 26, Code of Alabama 1940, as last amended, all relating to unemployment compensation.

By Messrs. Goodwyn and Giles:

S. 195. To amend Code of Alabama 1940, Title 26, Sections 279, 283, 289, 293 and 300, which relate to the Workmen's Compensation Law.

By Messrs. Goodwyn & Giles:

S. 196. To amend Section 240, Title 26, Code of Alabama 1940, as last amended.

By Messrs. Goodwyn & Giles:

S. 198. To amend Section 235, Title 26, Code of Alabama 1940, as last amended.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Radney, Nabors, McCarley, O'Bannon, Morrow, Torbert, Jackson, Bailes, Childs, Leonard, Skidmore, Pierce, Oden, Hawkins, Folsom, Carr, Albea, Vacca, Stone, Lindsey and Gilmore (with amendment):

S. 64. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 96. To amend Section 11 of Act No. 100 (S. 68), Regular Session of the Legislature of 1959, approved June 24, 1959, General Acts of 1959, an act relating to the Board of Dental Examiners of Alabama.

By Messrs. Cooper, McCarley, Childs and Hawkins:

S. 177. To amend Title 22, Section 258 (9), providing penalties relating to the illegal possession of barbiturates.

By Messrs. Cooper, Stone, Childs, Hawkins, Lolley, Giles and McCarley:

S. 178. To amend Title 22, Section 258 (20) (a), providing penalties for the illegal possession of amphetamines or other stimulating drugs.

Mr. McCarley, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McCarley, Skidmore, Carr, Giles, Torbert, Stone, Jackson, Goodwyn, O'Bannon and Leonard:

S. 28. To provide distinctive license plates free of charge for Alabama members of the United States Senate and House of Representatives; authorizing the commissioner of revenue to provide rules and regulations for the making, issuance and design of such plates, subject to certain specifications.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Childs:

S. 119. To amend Section 58 (2) of Title 36, of the 1940 Code of Alabama (as amended).

By Mr. Childs:

S. 121. To provide for the placement of tail lamps upon motor vehicles.

Mr. Stone, Chairman of the Standing Committee on Aviation and Traffic, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 129. To revise and amend Section 58 (34) of Title 36 of the Code of Alabama (1940), relating to the safety glazing material in motor vehicles.

By Mr. Vacca:

S. 20. Relating to driver training schools, providing for their licensing and licensing of an instructor of a school and qualifications, insurance requirements, bond requirements, the renewal of their licenses, determining the registration fees and disposition of the moneys received, and providing for penalties for violation thereof.

RESOLUTION

Mr. Radney offered the following Senate Joint Resolution, to-wit:

S. J. R. 24. Proposing an amendment to the Constitution of Alabama in relation to the minimum age for registering and voting.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That article VIII, Sections 177 and 181 of the Constitution of Alabama as amended, be further amended so as to reduce the minimum age for registering and voting from twenty-one to twenty, as follows:

(1) In Section 177 of the Constitution, strike out the words "twenty-one years old or upwards" and insert the words "twenty years old or upwards."

(2) In Section 181 of the Constitution, as amended by Amendment XCI ratified December 19, 1951, strike out the words "over the age of twenty-one years" and insert the words "over the age of twenty years."

RESOLVED FURTHER, That an election is ordered to be held on the first Tuesday following the expiration of three months from final adjournment of the current session of the Legislature, at which the amendments proposed shall be voted on by the qualified electors of the state. Notice of such election, together with the proposed amendments, shall be given by proclamation of the Governor, which shall be published in every county in a newspaper of general circulation therein for at least four successive weeks next preceding the day appointed for such election. Officers for such election shall be appointed, and the election shall be held in all things in accordance with the laws governing general elections. The votes cast at the election shall be canvassed, tabulated, and returns thereof shall be made to the secretary of state, and counted, in the same manner as in elections for representatives to the Legislature. The result of the election shall be made known by proclamation of the Governor.

RESOLVED ALSO, That upon the ballots used at the election provided for herein the substance or subject matter of the proposed amendments shall be so printed that the nature thereof shall be clearly indicated. Following the proposed amendments on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him or under his direction, opposite the word expressing his desire.

Which was read and referred to the Standing Committee on Privileges and Elections.

BILLS ON THIRD READING

The Senate proceeded to consideration of the Bill:

S. 29. To amend Section 119 of Title 48, Code of Alabama of 1940, so as to state specifically that a transportation company which charges more compensation for transporting logs of any length to a pulp or paper

mill than it charges for transporting such logs to a sawmill or other wood converting mill shall be deemed guilty of unjust discrimination.

as amended, which said amendment is set out at length in the Journal of the Senate for the Third Legislative Day.

Mr. Cooper offered the following amendment to the Bill, S. B. 29, as amended, to-wit:

AMENDMENT TO SENATE BILL NO. 29

Amend the title to read as follows:

"To amend Section 119 of Title 48, Code of Alabama 1940, so as to state specifically that a transportation company which charges greater or less compensation for any service rendered or to be rendered by it for or in connection with the transportation of logs in excess of five (5) feet six (6) inches in length to a pulp or paper mill than it charges for a like service to a sawmill, lumber mill or plywood mill shall be deemed guilty of unjust discrimination."

Amend the last sentence in Section 1 to read as follows:

"If any such transportation company shall charge, demand, collect or receive from any person, firm, company or corporation a greater or less compensation for any service rendered or to be rendered by it for or in connection with the transportation of logs in excess of five (5) feet six (6) inches in length to a pulp or paper mill in this state than it charges, demands, collects or receives from a sawmill, lumber mill or plywood mill in this state for a like service shall be guilty of unjust discrimination within the meaning of this section."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Albea	Engel	Lolley	Pierce
Bailes	Folsom	McCarley	Radney
Branyon	Giles	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Childs	Harris	Nabors	Vacca
Cooper	Leonard		

—25

Nays:

—0

On motion of Mr. Cooper, further consideration of the Bill, S. B. 29, as amended, was postponed until the next Legislative Day.

RESOLUTION

Mr. Clark offered the following Senate Resolution, to-wit:

S. R. 25. RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, are hereby respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with S. B. 214, a bill now pending in the Legislature, a true copy of which is attached to this resolution and incorporated herein by reference, to wit:

Question One. Do the provisions of the bill provide for a local law contrary to Article 4, Section 104 (29) of the Constitution of Alabama, as amended?

Question Two. Do the provisions of this proposed law violate Article 4, Section 105 of the Constitution of Alabama, as amended?

Question Three. Would this bill, if enacted, be violative of Section 45 of Article 4, Constitution of Alabama, as amended?

RESOLVED FURTHER, That the Secretary of the Senate is ordered to send forthwith four true copies of this resolution, together with four true copies of S. B. 214, forthwith to the Clerk of the Supreme Court of Alabama.

SENATE BILL 214

By Mr. Clark:

A BILL TO BE ENTITLED AN ACT

To make further provisions respecting the board of revenue of Barbour County; to reduce the size of such board and redivide Barbour County into board of revenue districts and prescribe the representation of each district on such board; to provide for a president of such board; to provide for the election, term of office and compensation of members of the board; to provide for filling vacancies on the board; to repeal Act No. 221, S. 165 of the Regular Session of 1919 and Act No. 10, S. 60 of the Regular Session of 1965, which amends said Act No. 221 of 1919 and all other laws in conflict herewith.

Be It Enacted by the Legislature of Alabama:

Section 1. After the general election in 1968 the board of revenue of Barbour County shall consist of only five members. District No. 1, as Barbour County is divided into board of revenue districts pursuant to Section 2 of this Act, shall be represented on said board by two members and they shall be designated as members from District No. 1, Seat No. 1 and District No. 1, Seat No. 2. Each of the other districts shall be represented by one member. Each member of the board, when he is elected and throughout the time that he serves shall reside in and be a qualified elector of the district he represents; but all such members shall be elected by the qualified electors of the county at large.

Section 2. Barbour County is hereby divided into four districts, numbered one through four, to be known as board of revenue districts. District No. 1 shall be composed of all that area lying within the city limits of the city of Eufaula. District No. 2 shall be composed of beats 1, 2, 3, 4, 11, 14, 16 and all of beat 5 except that part which lies within the corporate limits of the city of Eufaula. District No. 3 shall be composed of beats 6, 7, 8 and 9. District No. 4 shall be composed of beats 10, 12, 13 and 15. The word beats as herein used means the election beats or precincts into which Barbour County is divided pursuant to law on the date on which this act becomes law.

Section 3. Members serving on the board of revenue of Barbour County when this act becomes law from districts numbers three and four, as Barbour County is divided into board of revenue districts pursuant to Act No. 221, S. 365 of the Regular Session of 1919 (Local Acts 1919, p. 69), as amended by Act No. 10, S. 60 of the Regular Session of 1965 (Acts, Regular Session 1965, p. 31), shall serve as members from District No. 3 and District No. 4, as the county is divided into districts by Section 2 of this act, respectively, until the expiration of the terms for which they have heretofore been elected. Two members to represent District No. 1 and one member to represent District No. 2 shall be elected by the qualified electors of Barbour County at large in the general election in 1968 and every six years thereafter. Successors to members representing Districts Nos. 3 and 4 shall be elected by the qualified

electors of Barbour County at large in the general election in 1972, and every six years thereafter. The term of office of all members of the board shall be six years from the day after their election and until their successors are elected and have qualified. Every candidate for election to the board of revenue of Barbour County shall, in his declaration of candidacy, specify the district from which he is a candidate; and in the case of a candidate to represent District No. 1, he shall also specify the seat number for which he is a candidate.

Section 4. Any vacancy occurring by death, resignation or other cause, except expiration of term, shall be filled by appointment by the Governor for the unexpired term.

Section 5. The board of revenue shall elect one of its members president. Such president shall be the presiding officer of the board and shall have and exercise all of the powers and authority conferred on the president of the board of revenue of Barbour County by Act No. 505, H. 1031 of the 1894-95 Session of the Legislature (Acts 1894-95, p. 997) and any and all other powers and authority vested under the general law in the presiding officers of county governing bodies. He shall also do and perform all duties required of the president of the board of revenue of Barbour County by said Act No. 505 of the 1894-95 Session or by the general law of presiding officers of county governing bodies.

Section 6. Each member of the board of revenue shall receive a salary of three hundred dollars per month. Such salary shall be the total compensation for the performance of the duties of his office to be received by each member, except the president, and shall be in lieu of all other salary, per diem and expense allowances provided by law. The president of the board, in addition to the above prescribed salary, shall also be provided an expense allowance in such amount per month as is fixed by the board.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. Act No. 221, S. 365, of the Regular Session of 1919 (Local Acts 1919, p. 69) and Act No. 10, S. 60 of the Regular Session of 1965 (Acts Regular Session 1965, p. 31) amendatory thereof, are hereby specifically repealed. Any and all other laws or parts of laws in conflict herewith are also repealed.

Section 9. The substantive provisions of this act shall become effective as soon as members of the board of revenue of Barbour County have been elected in the general election of 1968 and have qualified; but the provisions hereof relative to the division of Barbour County into board of revenue districts, the election of members of such board from such districts, (and, in the case of the election of members from District No. 1 to numbered seats), and the provisions requiring candidates in their announcements to state the number of the district which they are candidates to represent (and in case of candidates to represent District No. 1 the number of the seat for which they are candidates), shall govern the nomination and election of such candidates in 1968.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 43. To provide time off duty for state employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Albea	Folsom	McCarley	Radney	
Bailes	Giles	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Cooper	Harris	Pelham	Vacca	
Dominick	Leonard			—25

Nays:

Messrs.:	Clark	Jackson	Lindsey	
Branyon				—4

The Bill:

H. 101. To provide an expense allowance for the judges of all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, such allowances to be paid out of the general fund of the respective counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Albea	Gilmore	Lolley	Skidmore	
Bailes	Givhan	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 102. To prescribe the salary of the clerks for all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Gilmore	McCarley	Pierce	
Bailes	Givhan	McDermott	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Jackson	Oden	Turner	
Cooper	Leonard			—25

Nays: —0

The Bill:

S. 113. To authorize establishment and operation of branch banks and branch offices of banks in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Albea	Engel	Lolley	Pierce	
Bailes	Folsom	McCarley	Radney	
Branyon	Giles	Nabors	Stone	
Carr	Givhan	O'Bannon	Turner	
Childs	Goodwyn	Oden	Vacca	
Clark	Harris			—25

Nays: —0

The Bill:

S. 2. Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

was taken up.

ADJOURNMENT

At 4:16 P. M., on motion of Mr. Cooper, pending further consideration of the Bill, S. B. 2, the Senate adjourned until Thursday, June 15, 1967, at 2 o'clock P. M.

NINTH LEGISLATIVE DAY

THURSDAY, JUNE 15, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend John W. Oliver, Assistant Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Lindsey	Pelham
Albea	Engel	Lolley	Pierce
Bailes	Folsom	McCarley	Radney
Branyon	Giles	McDermott	Skidmore
Carr	Gilmore	Morrow	Stone
Childs	Givhan	Nabors	Turner
Clark	Goodwyn	Oden	Vacca
Cooper	Harris		

—29

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Jackson, Hawkins, Adams, O'Bannon, Leonard and Torbert for today.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 10. Thanking the officers and members of the Alabama Farm Bureau for the delightful dinner and entertainment May 8.

Also:

S. J. R. 11. Expressing gratitude to the Mobile legislative delegation for the seafood dinner.

Also:

S. J. R. 14. Commending the Sertoma Club of Mobile.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Branyon:

S. 229. To set the terms of office of the respective members of each Board of Revenue, Court of County Commissioners or like governing body of the several counties at six years; to repeal conflicting laws; and to establish an effective date.

Committee on Counties and County Boundaries.

By Mr. Cooper:

S. 230. To alter, rearrange and extend the boundary lines and corporate limits of the town of Camden in Wilcox County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Camden in Wilcox County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Camden in Wilcox County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a tract of land more particularly described as follows:

In Section 18, Township 12 North, Range 8 East: South half of the southwest quarter; and south half of the southeast quarter, less and except that part presently within the city limits.

In Section 17, Township 12 North, Range 8 East: South half of the southwest quarter, less and except that part presently within the city limits; and southeast quarter of the southeast quarter.

In Section 16, Township 12 North, Range 8 East: Southwest quarter of southwest quarter.

In Section 20, Township 12 North, Range 8 East: East half of the northwest quarter; northeast quarter; northeast quarter of southwest quarter, lying north and east of Town Branch; and north half of the southeast quarter.

In Section 21, Township 12 North, Range 8 East: West half of the northwest quarter; northwest quarter of the southwest quarter, and all that part of the northeast quarter of the southwest quarter lying north and west of the present city limits.

In Section 30, Township 12 North, Range 8 East: Northwest quarter of northeast quarter; and northwest quarter of northwest quarter, less and except that part presently within the city limits.

In Section 25, Township 12 North, Range 8 East: Northeast quarter of northeast quarter.

In Section 24, Township 12 North, Range 7 East: East half of the east half.

In Section 13, Township 12 North, Range 7 East: Southeast quarter of the southeast quarter.

All of the above described land lying in Section 16, 17, 18, 20, 21, Township 12 North, Range 8 East, and Sections 13, 24, 25, Township 12 North, Range 7 East, Wilcox County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. L. Adams, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Editor of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, and June 15 all in the year 1967.

G. L. ADAMS.

Sworn to and subscribed before me June 13, 1967.

BETTY M. DUNN,
Notary Public.

By Mr. Turner:

S. 231. To alter, rearrange and extend the boundary lines and corporate limits of the town of Rutledge in Crenshaw County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Rutledge in Crenshaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Rutledge in Crenshaw County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within the corporate limits of the town, the following described property:

The East 462 feet of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 and the East 462 feet of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25, Township 9 North, Range 17 East; S $\frac{1}{2}$ of SW $\frac{1}{4}$ and S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 19, N $\frac{1}{2}$ of NW $\frac{1}{4}$ and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 30, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, Township 9 North, Range 18 East, in Crenshaw County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

ALTON L. TURNER,
Senator 20th Senatorial District.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CRENSHAW

Before the undersigned Notary Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled:

Legal Notice State of Alabama County of Crenshaw. Notice is hereby given that a bill substantially as follows will be introduced in the . . . was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: April 12, 1967, April 19, 1967, April 26, 1967, May 3, 1967.

MARY P. REEDER.

Sworn and subscribed to before me this 14th day of May 1967.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-70.

By Messrs. Turner, Torbert and Goodwyn:

S. 232. To make an additional appropriation to the State Board of Education for the purpose of purchasing Free Textbooks.

Committee on Finance and Taxation.

By Mr. Turner:

S. 233. To amend Code of Alabama 1940, Title 46, Sections 195 and 205, relating to the state board of optometry, the renewal of licenses by optometrists, and the use of the proceeds of license or registration fees.

Committee on Public Health.

By Messrs. Goodwyn, Cooper, Turner, Carr, McCarley, Lolley, Engel, Albea, Bailes, Vacca, Giles, Folsom, Radney, Lindsey, McDermott, Nabors, Morrow, Clark, Stone, Givhan, Childs, Branyon, Skidmore, Pierce, Pelham, and Gilmore:

S. 234. To provide for a long range study of public education in Alabama, creating the Alabama Education Study Commission, and making an appropriation therefor.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Pierce:

S. 235. Relating to occupational license taxes payable by itinerant piano tuners.

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 236. To provide for the State of Alabama to enter into the Interstate Library Compact.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 237. Relating to contractors bidding on highway work submitting a certified check or bid bond with their bid as proposal guaranty.

Committee on Public Roads and Highways.

By Mr. Oden:

S. 238. Relating to intoxicating liquors; providing for a referendum to determine whether the State shall be "wet" or "dry" under the alcoholic beverage control laws contained in Title 29, Code of Alabama (1940), and amendments thereto.

Committee on Temperance.

By Messrs. Engel, Givhan and Cooper:

S. 239. To propose and provide for an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding \$6,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Committee on Seaports.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Engel, Givhan and Cooper:

S. 240. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in SB 239 adopted at the 1967 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvements by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$6,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$6,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issu-

ance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1967 Docks Amendment (and the 1957 Docks Amendment) from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1967 Docks Amendment or said 1957 Docks Amendment.

Committee on Seaports.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Pierce:

S. 86. To amend Code of Alabama, Title 13, Section 79, relating to Assistant Marshal and Librarian of the Supreme Court of Alabama.

By Messrs. Goodwyn and Pierce:

S. 88. To amend Code of Alabama, Title 13, Sections 49, 51, and 57, relating to the Clerk of the Supreme Court.

By Messrs. Goodwyn and Pierce:

S. 91. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Article 6, Section 164 of the Constitution of Alabama relative to the Clerk of the Supreme Court.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Springer et al:

H. 88. To provide for the delegation of the audit function of hospitals and nursing homes by the Chief Examiner of Public Accounts to independent Certified Public Accountants.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 224. To apply only in counties having populations of not less than 14,900 nor more than 15,000 according to the most recent federal decennial census, providing clerk hire allowances for certain county officers.

By Mr. Turner:

S. 225. To provide an expense allowance for the district attorney of the Second Judicial Circuit of Alabama, payable by the counties composing said circuit; providing an effective date and a termination date for operation of the Act.

By Mr. Turner:

S. 226. To provide an additional expense allowance to the judge of the second judicial circuit of Alabama payable by the counties composing said circuit; providing for an effective date and a termination date for the operation of the act.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 52. To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

By Messrs. Merrill, Lybrand and Burgess:

H. 125. To amend Act No. 64, H. B. 17, Special Session 1967, entitled "An Act to provide further for the compensation of the circuit court judges of the seventh judicial circuit."

By Mr. Headley (with notice and proof):

H. 126. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

By Messrs. Jackson (F) and Foshee (with notice and proof):

H. 129. Relating to the City of Opp in Covington County: Authorizing the City of Opp as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporations and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating

the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

By Messrs. Jackson (F) and Foshee (with notice and proof):

H. 130. Relating to Covington County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

By Messrs. Starnes, Drake and McDonald:

H. 142. Relating to counties having populations of not less than 47,000 nor more than 49,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of such counties.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 163. Relating to Walker County; providing an additional clerk hire allowance for the circuit clerk.

By Mr. Tuck (with notice and proof):

H. 159. Relating to Pickens County; prescribing the times when county offices may be closed.

By Mr. Holladay (with notice and proof):

H. 181. Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Radney:

S. J. R. 24. Proposing an amendment to the Constitution of Alabama in relation to the minimum age for registering and voting.

The above Resolution was read a second time at length as required by the Constitution.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 69. Relating to fish; authorizing the Director of Conservation, under certain conditions, to promulgate rules and regulations for the taking of non-game fish from the public waters of this State by the use of wire baskets; levying a privilege license tax on each such wire basket; prohibiting the sale of fish so taken; repealing all laws and especially local laws in conflict herewith, and prescribing the penalty for violation of this Act.

By Mr. Pelham:

S. 70. To provide a program for the protection of forest trees from insect infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for cooperative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund".

By Mr. Pelham:

S. 71. To amend Title 8, Section 206, Code of Alabama 1940, which pertains to the police powers of the employees of the Department of Conservation.

By Mr. Pelham:

S. 73. To make it unlawful for any person to set certain type fires when an emergency drought condition exists when so declared by the Director of Conservation with the approval of the Governor.

By Mr. Carr:

S. 75. To propose an amendment to the Constitution of Alabama; establishing a game and fish fund in the State Treasury and requiring that certain monies be placed therein; to prohibit the diversion of any monies in said fund for any purposes other than the administration of the game and fish activities of the Department of Conservation and for the protection, propagation, preservation, investigation of game and fish and the public use of the game and fish resources of this State.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Cooper:

S. 171. To provide that in all misdemeanor cases for the violation of the Water Safety Act and regulations promulgated thereunder and in all misdemeanor cases for the violation of future laws to be enforced by the Water Safety Division where the defendant pleads guilty and no appeal is taken, no fee shall be taxed or collected for trial tax, solicitor's fees, or entering judgment in such cases cognizable in justice of the peace courts, county courts, inferior courts, law and equity courts, or courts of like jurisdiction.

By Mr. Carr:

S. 228. To levy a privilege or license tax on dealers of minnows; defining terms; providing for the disposition of funds; and prescribing penalties for violations.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from Her Excellency, the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Robert M. Cleckler as State Superintendent of Banks.

On motion of Mr. Clark, the appointment of Mr. Cleckler as State Superintendent of Banks was then confirmed by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message

from Her Excellency, the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of General Alfred C. Harrison as Adjutant General of the State of Alabama.

On motion of Mr. Turner, the appointment of General Harrison as Adjutant General of the State of Alabama was then confirmed by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from Her Excellency, the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of the Honorable Houston H. Feaster as State Docks Director.

On motion of Mr. McDermott, the appointment of Mr. Feaster as State Docks Director was then confirmed by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 19. Relative to increasing salaries of legislative employees.

On motion of Mr. Lolley, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 21. Commending the activities of the Consumer Credit Counseling Service of Alabama, and extending best wishes for its continued success.

On motion of Mr. Goodwyn, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 7. Expressing legislative policy with respect to the pending anti-firearm legislation in the U. S. Senate.

On motion of Mr. Morrow, said Resolution was then concurred in and adopted by the Senate.

SELECT COMMITTEE APPOINTED

The President and Presiding Officer of the Senate appointed Messrs. Morrow, Pierce and Stone as a Committee to make arrangements for "Former Senators' Day" at a later date in the Regular Session.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 2. Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

On motion of Mr. Nabors, further consideration of the Bill, S. B. 2, was postponed until the next Legislative Day.

RESOLUTION

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. A RESOLUTION requesting the Alabama Delegation in the U. S. Congress to call upon Congress to strengthen laws to control the communist party by a new declaration of legislative intent or to propose a new amendment to the Constitution of the United States.

WHEREAS the United States Congress has found and declared in the Communist Control Act of 1954 that the Communist Party in the United States "is in fact an instrumentality of a conspiracy to overthrow the Government of the United States"; and

WHEREAS the United States Congress has enacted laws to control the activities of the Communist Party but these laws have proven ineffective and inadequate because of United States Supreme Court decisions interpreting the First and Fifth Amendments of the United States Constitution, the unintentional effect of which is to grant the Communist Party undue protection and privileges contrary to the intent of Congress and of the people; and

WHEREAS the people of the State of Alabama are greatly concerned because of these continuing protections afforded and enjoyed by the Communist Party which allow that organization to flourish and to expand its subversive activities; and

WHEREAS the State of Alabama is without power to prosecute or interfere with the activities and expansions of the Communist Party because the Federal Government has pre-empted the field of communist control; and

WHEREAS it appears that the protections afforded by the United States Constitution should be defined by Congress; and

WHEREAS the citizens of the State of Alabama have duly elected to the United States Congress representatives, who are well qualified to determine required legislative needs regarding control of the Communist Party and other organizations dedicated to the overthrow of the United States Government by unlawful means; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Delegation in the United States Congress be requested to call upon Congress to study methods and means necessary to strengthen the laws which have been enacted by the United States Congress for the purpose of controlling the Communist Party.

BE IT FURTHER RESOLVED, That this study and the recommendations resulting therefrom include a finding as to the legislative intent behind Acts of Congress which are affected by the First and Fifth Amendments, or any other amendment or part of the United States Constitution which affords protection to the Communist Party; and

BE IT FURTHER RESOLVED, That the study and its resulting recommendations include proposed legislation or Constitutional Amend-

ments which would effectively preserve American democracy and the strength of our Constitution; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to each and every U. S. Senator and member of Congress from Alabama.

On motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 6. Extending invitation to Honorable Orville R. Rush to address a joint session of the Alabama Legislature June 23, 1967.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 190. To make an appropriation for the payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Bailes	Folsom	Lolley	Pierce
Branyon	Giles	McCarley	Radney
Carr	Gilmore	McDermott	Skidmore
Childs	Givhan	Morrow	Stone
Clark	Goodwyn	Nabors	Turner
Cooper	Harris	Oden	Vacca

—27

Nays:

—0

The Bill:

S. 49. Granting to minors not less than 15 years of age at nearest birthday the capacity to contract for annuities, endowments, life insurance and accident and sickness insurance on his own life or body or on the life or body of any person in whom such minor has an insurable interest; and providing that minors not less than 18 years of age at nearest birthday may give valid acquittance, discharge and release for payment or payments under life insurance endowment and annuity contracts and accident and sickness insurance contracts not exceeding \$3,000 in any one year made by any one company.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Nabors
Albea	Engel	Lindsey	Pelham
Bailes	Folsom	Lolley	Pierce
Branyon	Giles	McCarley	Radney
Carr	Gilmore	McDermott	Stone
Clark	Givhan	Morrow	Vacca
Cooper	Goodwyn		

—25

Nays:

—0

The Bill:

S. 50. To amend further the title and Sections 1, 2, 3 and 4 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, Page 549) as amended by Act 124, H. 223, Second Special Session 1965; (Acts of Alabama 1965, Page 172), and to amend Sections 6 and 7 of said Act entitled, "An act concerning gifts of securities, money and life insurance to minors and to make uniform the law with reference thereto", so as to provide for gifts of annuity contracts to minors under such act, to define "financial institution", to provide for the designation and appointment of a successor custodian, and for other purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Morrow
Albea	Dominick	Harris	Nabors
Bailes	Folsom	Lindsey	Pelham
Branyon	Giles	Lolley	Pierce
Carr	Gilmore	McCarley	Skidmore
Childs	Givhan	McDermott	Stone
Clark			

—24

Nays:

—0

The Bill:

S. 52. To amend Code of Alabama 1940, Title 28 Sections 68 and 70 relating to guarantee fund and deposits of insurance companies.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Pelham
Albea	Engel	Lindsey	Pierce
Bailes	Folsom	Lolley	Skidmore
Branyon	Giles	McCarley	Stone
Childs	Gilmore	McDermott	Turner
Clark	Givhan	Nabors	Vacca
Cooper	Goodwyn		

—25

Nays:

—0

The Bill:

S. 53. Relating to life and accident and sickness insurance, and

providing that applications therefor may be made by the individual insured and certain others.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors
Albea	Dominick	Lindsey	Pelham
Bailes	Folsom	Lolley	Pierce
Branyon	Giles	McCarley	Skidmore
Carr	Gilmore	McDermott	Turner
Childs	Givhan	Morrow	Vacca
Clark			

—24

Nays:

—0

The Bill:

S. 54. TO AMEND Section 1 of Act 347 of the General Acts of Alabama 1947, now codified as Title 28, Section 246, Code of Alabama (1940) to provide that a mutual aid association, benefit or industrial company, shall have a minimum paid-in capital of fifty thousand dollars plus an additional surplus of seventy-five thousand dollars, and for other purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Pelham
Albea	Dominick	Lindsey	Pierce
Bailes	Folsom	Lolley	Skidmore
Branyon	Giles	McCarley	Stone
Carr	Gilmore	McDermott	Turner
Childs	Givhan	Morrow	Vacca
Clark	Goodwyn	Nabors	

—26

Nays:

—0

The Bill:

S. 55. To provide for the assignment of life insurance policies under certain circumstances even to those having no insurable interest.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Pelham
Albea	Dominick	Lindsey	Pierce
Bailes	Folsom	Lolley	Skidmore
Branyon	Giles	McCarley	Stone
Carr	Gilmore	McDermott	Turner
Childs	Givhan	Morrow	Vacca
Clark	Goodwyn	Nabors	

—26

Nays:

—0

The Bill:

S. 51. To amend Section 7 of Title 28 of the Code of Alabama (1940) to provide that the validity of a life insurance policy shall not be contested after it has been in force during the lifetime of the insured for a period of two years from its date of issue with certain exceptions; to provide a similar period after which the validity of a reinstated life insurance policy or contract may not be contested for fraud or misrepresentations; to define the scope of such incontestable provision; and to provide that no plea of misrepresentation or fraud in the application for a life insurance policy shall be filed in any court unless accompanied by a payment into court of all premiums paid on the policy being contested.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Nabors	Turner	
Childs	Goodwyn	Oden	Vacca	—25
Clark	Harris			

Nay: Mr. Dominick —1

The Bill:

S. 24. To amend Act No. 132, H. 186, Regular Session 1945, an act to regulate the making and applying of rates for fire, inland marine, and all other kinds of insurance which fire insurance companies are authorized to write in this State (General Acts 1945, p. 133).

was taken up.

Mr. McCarley offered the following amendment to the Bill, S. B. 24, to-wit:

AMENDMENT TO S. B. 24

In Section 1, second paragraph, insert the following words and figures at the end thereof: No insurance company coming within the purview of this Act shall cancel any policy of insurance issued by it except upon good cause shown and notice given to the insured at least 30 days before any such cancellation.

NOTICE IN WRITING

TO AMEND SENATE RULES

Mr. Folsom offered the following Notice in Writing, to-wit:

"As pursuant to Rule 33 of the Rules of the Senate of the State of Alabama of 1967, notice is hereby given that on the next legislative day a motion will be made to change Rule 47, Sub-section 35 which relates to Local Legislation Number Two (2), by eliminating same."

Which was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:35 P. M., on motion of Mr. Carr, pending further consideration of the Bills, S. B.'s 2 and 24, the Senate adjourned until Tuesday, June 20, 1967, at 2 o'clock P. M.

ELEVENTH LEGISLATIVE DAY

TUESDAY, JUNE 20, 1967

(The Senate was not in Session on the Tenth Legislative Day.)

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Mr. Tom Estes, Minister, Dalraida Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE

ON

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Eighth and Ninth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journals of the Senate for the Eighth and Ninth Legislative Days were approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Skidmore for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 65. To provide additional exemptions from the Marion County sales and use tax law.

Also:

H. 66. Relating to Marion County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Also:

H. 67. To repeal Act No. 93, H. 348, Regular Session 1965, entitled "An Act Relating to counties having populations of not less than 14,400 nor more than 14,900 according to the most recent federal decennial census; regulating further the operation of public schools in such counties, prescribing the retirement age for teachers in such schools."

Also:

H. 70. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

Also:

H. 90. Relating to Pike County, providing for closing the offices of officials in the courthouse one full day each week.

Also:

H. 91. Relating to Pike County; to provide that the corporate authorities of any city therein, and the Court of County Commissioners, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Court of County Commissioners may unite in the establishment of such service, making them common for the use of the city and of the county.

Also:

H. 100. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Also:

H. J. R. 14. Commending Colonel Robert C. Marshall for his contribution to the development of Alabama's water resources.

Also:

H. J. R. 16. Expressing regret upon the death of Mr. Paul Hampton, Birmingham Airport Manager.

Also:

H. J. R. 17. Joining Governor Lurleen B. Wallace in support of the drive to raise funds for the St. Jude's Children's Research Hospital in Memphis, Tennessee.

Also:

H. J. R. 18. Commending Coach Hank Crisp, of the University of Alabama, upon his long and successful career in the field of athletics.

Also:

H. 98. Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 19. Congratulating Mr. and Mrs. William Mathew Pennington on the celebration of their Golden Wedding Anniversary.

Also:

H. J. R. 22. Congratulating Miss Emmalee Shanks upon her winning of the DAR Good Citizen Award.

Also:

H. J. R. 23. Welcoming Mr. Bob Hope to the State of Alabama.

Also:

H. J. R. 24. Expressing regret upon the death of Mr. Bonnie Duncan Hand, Editor and Publisher of The LaFayette Sun.

Also:

H. J. R. 25. Recommending the organization of local auxiliary police forces to insure the safety and security of the citizens of Alabama.

Also:

H. J. R. 26. Congratulating Mr. and Mrs. Louis J. Gloor on the occasion of their Golden Wedding Anniversary.

Also:

H. J. R. 27. Supporting the American steel industry and the American steelworkers in their efforts to reach a more competitive status.

Also:

H. J. R. 28. Congratulating Coach Paul Nix and members of the Auburn baseball squad for their achievement in winning the Southeastern Conference baseball championship.

Also:

H. J. R. 29. Relative to compensation for the Clerk of the House and the Secretary of the Senate.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 6. Inviting Mr. Orville F. Rush of Washington, D. C. to address a joint session of the Legislature.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Albea:

S. 241. To propose an amendment to the Constitution of Alabama providing for jury verdicts in civil cases by vote of three-fourths majority of the jurors empaneled.

Committee on Constitution and
Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper:

S. 242. To make further provisions respecting the organization of the State Board of Agriculture and Industries, to abolish the State Board

of Agriculture and Industries as presently constituted under Title 2, Article 3 of Chapter 1, Code of Alabama 1940, as last amended, and to create and establish a new State Board of Agriculture and Industries, to prescribe the powers and duties of the new Board, to provide for its membership and to provide for the method of the appointment of its members and to prescribe the qualifications of its members, their tenure and compensation, and to provide for the appointment of the Commissioner of Agriculture and Industries and an Assistant Commissioner and prescribe the powers and duties of the Commissioner and Assistant Commissioner, and to repeal Sections 25, 26 and 27 of Title 2, Code of Alabama 1940.

Committee on Agriculture.

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Harris, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper:

S. 243. To amend Title 2, Sections 14, 16 and 17, Code of Alabama 1940, which relate to the office of Commissioner of Agriculture and Industries.

Committee on Agriculture.

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Harris, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper:

S. 244. Proposing an amendment to the Constitution of Alabama relating to the office of Commissioner of Agriculture and Industries.

Committee on Agriculture.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Harris, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper:

S. 245. To amend Title 17, Sections 65, 66 and 68, Code of Alabama 1940, which relate to elections.

Committee on Agriculture.

By Mr. Givhan:

S. 246. To amend Section 3 of Act No. 132, H. 105, Legislature of 1965, Second Special Session, approved October 1, 1965 (Acts of 1965 2nd and 3rd Special Sessions, p. 185) by providing that a portion of funds appropriated thereunder for expenditures during the fiscal year ending September 30, 1967 may be used and expended for capital outlay purposes.

Committee on Finance and Taxation.

By Messrs. Givhan, Hawkins, Branyon, Giles, McCarley and Radney:

S. 247. To amend Code of Alabama 1940, Title 17, Section 126, so as to provide further for the appointment, qualifications and duties of poll watchers at elections.

Committee on Privileges and Elections.

By Mr. Giles:

S. 248. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Committee on Municipalities and
Municipal Organizations.

By Mr. Giles:

S. 249. To authorize political subdivisions to enter into agreements for joint or cooperative action between themselves, a state or the United States and prescribing the procedures therefor.

Committee on Municipalities and
Municipal Organizations.

By Mr. Branyon:

S. 250. To amend Sections 2(a) and 2(b) of Act number 353, H. 773, Regular Session, 1953 (Acts, 1953, p. 421), an Act relating to Fayette County: To impose extra, new and additional duties upon the members of the county governing body, and provide for their compensation.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 2 (a) and 2 (b) of Act number 353, H. 773, Regular Session, 1953 Acts, 1953, p. 421) an Act relating to Fayette County; To impose extra, new and additional duties upon the members of the county governing body, and provide for their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2(a) and 2(b) of Act number 353, H. 753, Regular Session, 1953 (Acts, 1953, p. 421), an Act relating to Fayette County; to impose extra, new and additional duties upon the members of the county governing body, and provide for their compensation, are amended to read as follows:

Section 2. (a) For the performance of all other duties now imposed by law upon the members of the county governing body of Fayette County and for the performance of these new, extra, and additional duties imposed upon them, the members of the county governing body shall each receive an annual salary of \$6,600.00, payable in equal monthly installments out of the gasoline tax funds of the county.

(b) Each member of the county governing body of Fayette County shall be allowed an expense allowance not to exceed \$1,000.00 payable

in equal monthly installments out of the gasoline tax funds of the county as reimbursement for expenses incurred in the performance of his duty as a member of such governing body."

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, a notary public personally appeared Jack Black who being duly sworn, deposes to say that he is Publisher of the Fayette County Broadcaster and that the legal advertisement was published in said newspaper on the following dates: Nov. 10, 1966, Nov. 17, 1966, Nov. 23, 1966, Dec. 1, 1966.

JACK BLACK.

Sworn to and subscribed before me this 27 day of Feb. 1967 in testimony whereof I have hereunto set my hand and seal:

MARILYN S. McEACHERN,
Notary Public.

By Mr. Turner:

S. 251. To make a conditional appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Committee on Finance and Taxation.

By Mr. Turner:

S. 252. To make a conditional appropriation for the support and maintenance of Lyman Ward Military Academy, located at Camp Hill, Alabama.

Committee on Finance and Taxation.

By Mr. Turner:

S. 253. To make it a felony for a father to fail to comply with terms of a court order requiring him to support his child or children.

Committee on Judiciary.

By Mr. Turner:

S. 254. To make a conditional appropriation for the support and maintenance of Marion Institute, located in Perry County.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 255. To provide a "revolving fund" in the State Treasury for the Division of State Parks, Monuments and Historical Sites for the operation of a public fishing pier at Gulf State Park, Baldwin County, Alabama, and to provide an original appropriation to said fund.

Committee on Finance and Taxation.

By Mr. Engel:

S. 256. To amend Act No. 603, H. B. 69, Regular Session 1957, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies (Acts 1957, v. 2, p. 862), so as to regulate further the fees imposed for examination of credit unions.

Committee on Banking.

By Mr. Engel:

S. 257. Relating to payment by credit unions of share and deposit accounts not exceeding one thousand dollars (\$1,000) on the death of persons having such accounts; and discharging credit unions from further liability in respect to such accounts by payment of same to designated persons.

Committee on Banking.

By Mr. Engel:

S. 258. To amend Act No. 549, S. 2, of the Regular Session of 1965, the Uniform Commercial Code, in relation to the liability of a filing officer for errors and omissions made in certificates showing whether there is on file in his office on the date of the certificate certain documents relative to secured transactions.

Committee on Judiciary.

By Messrs. McDermott, Vacca, Nabors, Pelham and Giles:

S. 259. To amend further Section 440 of Title 37 of the Code of Alabama, 1940, as amended, relating to municipal operations.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 260. To amend further the Code of Alabama 1940, Title 37, Section 73, which relates to the compensation of commissioners.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 261. To amend Act No. 310, H. 148, Page 367, of the Regular Session of the Alabama Legislature, 1953.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 262. To authorize the Board of Commissioners of any incorporated municipality organized and operating under the provisions of Chapter 4, Article 1, Code of Alabama 1940, as amended, which owns and operates a light and power system, a municipal water system, a municipal sewer system or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to authorize a municipal board or a municipal public corporation which owns or operates a municipal light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, to

employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to fix his duties while so acting as superintendent, to pay additional compensation for his service as superintendent of such system or systems and to validate the employment of and compensation paid to any Mayor or President of the Board of Commissioners for services heretofore rendered as superintendent of any such system or systems.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 263. To require persons or owners to make affidavit as to the location of their legal residence upon registering and returning and assessing motor vehicles for ad valorem taxes; prescribing penalties.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 264. To amend further the Code of Alabama 1940, Title 37, Section 781, which relates to Boards of Adjustment.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 265. To provide for the payment of costs and expenses of primary elections of political parties in cities and towns of this state which have a population of 300,000 inhabitants or less, according to the latest federal decennial census, which are organized under a commission form of government; and to repeal conflicting laws:

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 266. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 267. To abolish primary elections of political parties in the cities and towns of 300,000 population or less which are organized under a commission form of government; and to repeal conflicting laws.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Nabors and Giles:

S. 268. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 269. To abolish primary elections of political parties in the cities and towns of this State, except those cities and towns which are organized under a commission form of government; and to repeal conflicting laws:

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Nabors and Giles:

S. 270. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 271. To provide for the payment of costs and expenses of primary elections of political parties in the cities and towns of this State, except those cities and towns which are organized under a commission form of government; and to repeal conflicting laws.

Committee on Municipalities and
Municipal Organizations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 272. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Committee on Municipalities and
Municipal Organizations.

By Messrs. Engel and McDermott:

S. 273. To amend Act No. 484, H. 561, Regular Session 1957 (Acts 1957, p. 669), entitled "An Act to validate, in certain cases, industrial development boards attempted to be organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation."

Committee on Municipalities and
Municipal Organizations.

By Messrs. Nabors, Radney and Goodwyn:

S. 274. To amend further Code of Alabama 1940, Title 22, Section 199, which relates to the state subsidy for the care of indigent patients in tuberculosis sanatoria.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 275. To provide rules and prescribe forms governing procedure and practice in the circuit court and courts of full like jurisdiction and in any other court whose judgments, orders, or decrees are appealable directly to the Supreme Court or to the Court of Appeals, in actions and suits of a civil nature, whether cognizable at law or in equity.

Committee on Judiciary.

By Messrs. Engel and McDermott:

S. 276. To further amend Section 1, Act No. 817, H. 298, Regular Session 1961, as amended by H. B. 52, Regular Session 1965, as approved August 26, 1965.

Committee on Judiciary.

By Messrs. Adams, Carr and Folsom:

S. 277. To regulate further the business of certain public utilities, gas districts, power districts, electric membership corporations, electric co-operatives, municipal electric utility boards and district electric corporations.

Committee on Judiciary.

By Mr. Adams:

S. 278. To amend Section 510 of Title 51, Code of Alabama 1940, Recompiled 1958, which levies a license on horse shows and dog and pony shows, etc.

Committee on Agriculture.

By Messrs. Carr, Leonard, Nabors, McCarley, Pierce, Branyon, Torbert, Radney, Jackson, Folsom, Lindsey, Clark, O'Bannon, Engel, Stone, Gilmore, Bailes, Vacca, Giles, McDermott, Albea, Adams and Goodwyn:

S. 279. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$43,000,000 for the purpose of acquiring, providing, constructing, developing, managing and equipping state parks and park facilities.

Committee on Forestry and Conservation.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Carr, Leonard, Nabors, McCarley, Pierce, Branyon, Torbert, Radney, Jackson, Folsom, Lindsey, Clark, O'Bannon, Engel, Stone, Gilmore, Bailes, Vacca, Giles, Albea, Adams and Goodwyn:

S. 280. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

Committee on Finance and Taxation.

By Mr. Carr:

S. 281. Relating to public education; authorizing and providing for the acquisition, operation, and maintenance of Snead Junior College as a state educational institution, and making appropriations in furtherance of such purpose.

Committee on Finance and Taxation.

By Messrs. Torbert and Radney:

S. 282. To provide for an expense allowance for each of the circuit judges of all judicial circuits in this State composed of five (5) counties, with not less than three (3) circuit judges; and providing for the payment of such expense allowance out of the general funds of the counties composing such judicial circuits.

Committee on Local Legislation No. 1.

By Mr. Bailes:

S. 283. Relating to banks; to provide for the payment to the state superintendent of banks of certain unclaimed bank deposits, such funds to be deemed derelict property usable by the State without liability for profit or interest until claimed by the parties entitled them.

Committee on Banking.

By Mr. Nabors:

S. 284. To raise revenue; imposing an additional license tax upon persons engaged in the business of issuing and selling trading stamps or any device or substitute therefor; providing for enforcement and collection of such tax; prescribing penalties.

Committee on Finance and Taxation.

MOTION TO ADJOURN

Mr. Branyon moved that when the Senate adjourns today, it adjourn to meet on Friday, June 23, 1967.

Mr. Cooper moved as a substitute motion that when the Senate adjourns, it adjourn to meet on Wednesday, June 21, 1967, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Adams	Giles	McDermott	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Lindsey	Oden	Vacca	
Engel				—16

Nays:

Messrs.:	Childs	Hawkins	Morrow	
Albea	Dominick	Jackson	O'Bannon	
Bailes	Gilmore	Leonard	Pierce	
Branyon	Harris	McCarley	Radney	
Carr				—16

The President and Presiding Officer of the Senate voted "Aye"; therefore, the motion to adjourn until Wednesday, June 21, 1967, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lemley:

H. 124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Oneonta, in Blount County, Alabama, so as to annex territory to the said city.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF
PROPOSED LEGISLATIONSTATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Oneonta, in Blount County, Alabama, so as to annex territory to the said city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Oneonta, in Blount County, Alabama, are hereby altered, rearranged, extended and fixed so as to include in the corporate limits of the said city additional territory which additional territory, and that now included within the corporate limits of said city shall be the territory lying within the following described boundaries, to-wit:

The S½ of Section 19; the S½ of Section 20; all of Section 29; all of Section 30; all of Section 31; all of Section 32; all in Township 12 South, Range 2 East; also, all of Sections 5 and 6 of Township 13 South of Range 2 East; all of Section 1, Township 13 South, Range 1 East; also the S½ of Section 24, all of Section 25 and all of Section 36, Township 12 South of Range 1 East; Blount County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the governor or by its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF BLOUNT

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation (Oneonta's boundary lines) was published for four consecutive weeks in said newspaper, commencing on the 30 day of March, 1967, and ending on the 20 day of April, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 20 day of April, 1967.

MOLLY RYAN.

Also:

By Mr. Pearson:

H. 141. Relating to Autauga County; authorizing the county board of education to furnish certain equipment, supplies, and services heretofore furnished by the county governing body and relieving the county governing body of the responsibility of furnishing such equipment, supplies, and services.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County; authorizing the county board of education to furnish certain equipment, supplies, and services heretofore furnished by the county governing body and relieving the county governing body of the responsibility of furnishing such equipment, supplies, and services.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Autauga County is hereby authorized to expend public school funds for furniture, office equipment, supplies, stationery, postage, telephone service and forms required by the office of the county superintendent of education, and for the compensation of school enumerators appointed by the county board of education to take the county school census, as provided by law.

Section 2. The county governing body is hereby relieved from furnishing any of the equipment and supplies or services enumerated in Section 1 of this Act to the county board of education or to the county superintendent of education, provided, however, that the county governing body may furnish office space and utility services other than telephone service for the county superintendent of education, his assistants, and clerical staff.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 6, 13, 20, and 27, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me this 8th day of May, 1967.

LINDA H. BREEDLOVE,
Notary Public.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 191. Relating to all counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the court of county commissioners, board of revenue, or other like county governing body; repealing conflicting laws.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 192. Relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing further for the compensation of the chairman and members of the court of county commissioners, board of revenue or other like county governing body, repealing conflicting laws.

Also:

By Mr. Mathews:

H. 195. To apply only in counties having populations of not less than 11,000 nor more than 13,000 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Also:

By Mr. Mathews:

H. 196. To amend Act No. 362, H. B. 721, Regular Session 1963, an act relating to counties having a population of not less than 11,000 nor more than 13,000 inhabitants.

Also:

By Messrs. Turnham, Brassell, Harper, Snell, Neville and Paulk:

H. 203. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

STATE OF ALABAMA COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the

counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 22, Mar. 1, Mar. 8, and Mar. 15, all in the year 1967.

BONNIE HAND.

Sworn to and subscribed before me March 16, 1967.

PEARL H. HAND,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 124, 141, 191, 192, 195, 196 and 203. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Garrett:

H. 80. Proposing an amendment to Article XVIII, Section 284, of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

Also:

By Mr. Lybrand:

H. 14. To amend further the title and Sections 1, 2, 3 and 4 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, Page 549) as amended by Act 124, H. 223, Second Special Session 1965; (Acts of Alabama 1965.

Page 172), and to amend Sections 6 and 7 of said Act entitled, "An act concerning gifts of securities, money and life insurance to minors and to make uniform the law with reference thereto", so as to provide for gifts of annuity contracts to minors under such act, to define "financial institution", to provide for the designation and appointment of a successor custodian, and for other purposes.

Also:

By Mr. Lybrand:

H. 15. Granting to minors not less than 15 years of age at nearest birthday the capacity to contract for annuities, endowments, life insurance and accident and sickness insurance on his own life or body or on the life or body of any person in whom such minor has an insurable interest; and providing that minors not less than 18 years of age at nearest birthday may give valid acquittance, discharge and release for payment or payments under life insurance endowment and annuity contracts and accident and sickness insurance contracts not exceeding \$3,000 in any one year made by any one company.

Also:

By Mr. Lybrand:

H. 16. To amend Code of Alabama 1940, Title 28 Sections 68 and 70 relating to guarantee fund and deposits of insurance companies.

Also:

By Mr. Lybrand:

H. 18. To provide for the assignment of life insurance policies under certain circumstances even to those having no insurable interest.

Also:

By Mr. Lybrand:

H. 19. TO AMEND Section 1 of Act 347 of the General Acts of Alabama 1947, now codified as Title 28, Section 246, Code of Alabama (1940) to provide that a mutual aid association, benefit or industrial company, shall have a minimum paid-in capital of fifty thousand dollars plus an additional surplus of seventy-five thousand dollars, and for other purposes.

Also:

By Mr. Lybrand:

H. 20. To amend Section 7 of Title 28 of the Code of Alabama (1940) to provide that the validity of a life insurance policy shall not be contested after it has been in force during the lifetime of the insured for a period of two years from its date of issue with certain exceptions; to provide a similar period after which the validity of a reinstated life insurance policy or contract may not be contested for fraud or misrepresentations; to define the scope of such incontestable provision; and to provide that no plea of misrepresentation or fraud in the application for a life insurance policy shall be filed in any court unless accompanied by a payment into court of all premiums paid on the policy being contested.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 80. To the Committee on Constitution and Constitutional Revision and Amendments.

H. B.'s 14, 15, 16, 18, 19 and 20. To the Committee on Insurance.

(The above numbered Bill, H. B. 80, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 22. To amend Act No. 440, H. B. 967, Regular Session 1961, providing compensation for commissioners of The Selma Housing Authority for performance of certain duties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 47. To amend Section 1 of Act No. 631, S. 538, Regular Session 1957 (Acts 1957, p. 948) an Act fixing the compensation and providing an expense allowance for members of the county governing body of Geneva County, so as to regulate further such compensation and allowances; and to repeal conflicting laws including Act No. 643, S. 590 and Act No. 727, H. 1247, Regular Session 1965 (Acts 1965, p. 1162 and p. 1333).

Also:

S. 62. Relating to Tallapoosa County; further regulating the places of meetings of the board of registrars; and providing additional compensation for members of such board, to be paid out of county funds.

Also:

S. 63. To provide an expense allowance for county solicitors of counties having a population of not less than 34,000 nor more than 35,500, according to the last or any subsequent Federal decennial census.

Also:

S. 78. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Also:

S. 79. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glen Allen in Fayette County.

Also:

S. 76. Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wright, Malone and Owens (W.E.):

H. 200. To apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county.

Also:

By Mr. Agee:

H. 214. To create and establish an inferior court for Washington County in lieu of the court of general sessions created by Act No. 137, H. B. 435, Regular Session 1963; abolishing the court of general sessions, and making provisions for the officers and jurisdiction of the inferior court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To create and establish an inferior court for Washington County in lieu of the court of general sessions created by Act No. 137, H. B. 435, Regular Session 1963; abolishing the court of general sessions, and making provisions for the officers and jurisdiction of the inferior court.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be established an inferior court for Washington County in lieu of the court of general sessions created under Act No. 137, H. B. 435, Regular Session 1963, and the court of general sessions is hereby abolished. The Inferior Court of Washington County shall have original jurisdiction, concurrently with the circuit court of Washington County, of all misdemeanors committed in Washington County. It shall have preliminary jurisdiction of all felonies, committed in Washington County. And it shall have all other jurisdiction conferred by general laws upon the county courts of this State, and in addition the

court shall have and exercise jurisdiction in all civil actions at law, except actions of ejectment or in the nature of ejectment, where the amount in controversy does not exceed \$500.

Section 2. The inferior court of Washington County shall not be a court of record, and appeals from the judgments rendered by the court may be taken to the circuit court of the county in the same way and in accordance with the same procedure as appeals from justice of the peace courts.

Section 3. The sessions of the inferior court shall be held in the courthouse of Washington County, and a regular session of the court shall be held on the first Monday in every month. Special sessions may be held at any time, except on Sunday, as the Judge of the Court may direct.

Section 4. The Judge of probate of Washington County shall be ex officio judge of the inferior court and shall, before he enters on the discharge of the duties of such office, take and subscribe to the oath prescribed by law for other judicial officers, which oath must be filed in the office of the clerk of the circuit court. For the performance of his duties as judge of the inferior court, the judge of probate shall be entitled to receive \$2,400 per annum, which shall be payable in equal monthly installments out of the general funds of the county, upon warrants signed by the judge.

Section 5. The clerk of the circuit court of Washington County shall be ex officio clerk of the inferior court. The fees and compensation of said clerk for performance of his duties as clerk of the inferior court shall be the same as now allowed by law to the clerks of county courts in criminal cases, and the same as in the circuit court in civil cases, and shall be paid in like manner. The clerk of the circuit court, before entering upon the performance of the duties of clerk of the inferior court, must give bond as required by law for performing services in the county court. The clerk shall have and exercise the same powers and authority and perform the same duties in respect to the business of this court as county court clerks and circuit court clerks as provided by general laws. The clerk of the inferior court may take affidavits and complaints in misdemeanor and felony cases, may issue warrants of arrest in such cases, and may issue search warrants. Such complaints, and such warrants issued by the clerk, shall have the same legal force and effect as though the same had been taken or issued by the judge of the court. The clerk shall receive a fee of one dollar for each writ of arrest or search warrant issued by him, to be taxed and collected as other costs are taxed and collected.

Section 6. The judge of the inferior court may appoint a bailiff. The compensation of the bailiff shall be \$7.50 a day for each day's service, and shall be paid from the general funds of the county on certificates signed by the judge.

Section 7. The sheriff of Washington County shall attend the sessions of the court in person or by deputy and shall serve and execute the processes of the inferior court. He shall be entitled to the fees prescribed by general laws for sheriffs performing like services in the circuit courts.

Section 8. Court costs shall be taxed and collected in criminal cases in the inferior court in the same way that costs are taxed and collected in the county courts under the general law, and in civil cases the costs shall be the same as in the circuit courts. Witness fees taxed as costs in criminal cases shall be the same as provided in circuit court and shall be taxed and collected in the same manner. Witness certificates shall be paid from the county fine and forfeiture fund and when collected

by the clerk, shall be paid into the fine and forfeiture fund. The clerk shall receive the same commissions for collecting and paying witness fees to the fine and forfeiture fund as provided for collecting and paying other money to the county. All court costs collected, except the fees, commissions, allowances of the clerk and sheriff and the fees of witnesses shall be paid into the general fund in the county treasury.

Section 9. The laws and rules governing practice and procedure in the county courts and justices of the peace courts shall apply in the inferior court of Washington County. However, civil suits must be commenced by summons and complaints served on the defendant not less than fifteen days before the return day thereof.

Section 10. The court of general sessions of Washington County shall be abolished as of midnight before the effective day of this Act, and the transfer of its jurisdiction to the inferior court shall be accomplished in the manner prescribed by Code 1940, Title 13, Section 393, for the transfer of jurisdiction whenever a justice of the peace court is abolished.

Section 11. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. This Act shall take effect on the first of the month next following the date of its enactment.

**STATE OF ALABAMA
COUNTY OF WASHINGTON**

I, Dalton Jackson, Publisher of the Call-News Dispatch, a newspaper published at Chatom, Washington County, Alabama do hereby certify that a copy of the Bill as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement, thereof, for four consecutive weeks, commencing with the issue dated April 6, 1967, and ending with the issue date April 27, 1967. I further certify that I have the right and authority to make this affidavit.

DALTON JACKSON.

Sworn to and subscribed before me on this, the 11 day May, 1967.

ANNETTE R. BAXTER,
Notary Public.

My Commission Expires 8/23/69.

Also:

By Messrs. Agee and McCorquodale:

H. 215. To provide for the compensation of jurors in Washington County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF WASHINGTON**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Washington County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Washington County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WASHINGTON

I, Dalton Jackson, Publisher of the Call-News Dispatch, a newspaper at Chatom, Washington County, Alabama do hereby certify that a copy of the Bill as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement, thereof, for four consecutive weeks, commencing with the issue dated April 20, 1967, and ending with the issue date May 11, 1967. I further certify that I have the right and authority to make this affidavit.

DALTON JACKSON.

Sworn to and subscribed before me on this, the 11 day May, 1967.

ANNETTE R. BAXTER,
Notary Public.

My Commission Expires 8/23/69.

Also:

By Mr. Merrill:

H. 219. To provide that the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 70,000 nor more than 96,000, according to the last or any subsequent federal decennial census, shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

Also:

By Mr. Melton:

H. 227. Relating to the Town of Evergreen in Conecuh County, Alabama; altering and extending the corporate limits of the municipality.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Town of Evergreen in Conecuh County, Alabama; altering and extending the corporate limits of the municipality.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the Town of Evergreen in Conecuh County, Alabama are altered and extended to include within the corporate limits of the municipality the lands lying within Conecuh County, Alabama, described as follows:

Sections 26, 27, 28, 29, 32 and the East half of Section 35, Township 6 North, Range 11 East; and Sections 5 and 8 and the South half of Section 9 of South half of Section 10, South half of Section 11, the Northeast Quarter of Section 11 and the East half of Section 2, all in Township 5 North, Range 11 East.

Section 2. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, May 4, May 11, and May 18, all in the year 1967.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 12th, 1967.

HAROLD ADAMS,
Notary Public.

My commission expires April 9, 1969.

Also:

By Mr. Cook (Coffee):

H. 260. To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in Coffee County may, with the written consent of the State Superintendent of Banks, open, establish, and operate one or more branch offices or branch banks for receipt of deposits, payment of checks, and conducting its business, anywhere within Coffee County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COFFEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Manuel Segall, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Enterprise Ledger, Inc., a newspaper of general circulation published in Coffee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1967.

MANUEL SEGALL.

Sworn to and subscribed before me May 30th, 1967.

ROY M. SHAFFSON,
Notary Public.

Also:

By Mr. Fite:

H. 269. Relating to Marion County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm, corporation or association to discharge, dispose or negligently to allow the deposit in the public streams of Marion County, Alabama, of any raw sewage, industrial wastes or other wastes including any soil, sand, clay, chalk, kaolin, muck, slush or other residue resulting from any excavations or preparations for roads, bridges, industrial, recreational or other building sites, or mining operations, (not limited to but including hydraulic mining operations), soil testing, reclamation projects or other operations of any nature whatsoever in such manner as to pollute, discolor, contaminate, clog or divert the public streams in said county.

Section 2. Any person, firm, corporation or association violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars and may also be imprisoned in the County jail or sentenced to hard labor for the County, for not more than six months. Each day such violation continues shall constitute a separate offense.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7, all in the year 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me June 8, 1967.

BRENDA S. HICKS,
Notary Public.

Also:

By Mr. Fite:

H. 270. Relating to Winston County; authorizing the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and providing for a referendum thereon.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Winston County; authorizing the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and providing for a referendum thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue of Winston County or other like governing body of said county, shall have authority to appropriate and use such sums from the general funds of the county not otherwise appropriated, and to designate and use such county property, buildings, and facilities, as may be necessary to enable the county to participate in programs and receive benefits and funds provided for and made available by and from the federal government under Public Law 88-452, known as the Economic Opportunity Act of 1964, as approved by Congress on August 20, 1964, when such county governing body, in its discretion, considers such action to be in the best interests of the county. Provided, however, that such sums and such property, buildings, and facilities shall not be appropriated, designated, or used in any manner which conflicts with the Constitution or statutes of the State of Alabama.

Section 2. The provisions of this Act shall become operative only if approved by a majority of the electors of Winston County who vote thereon in a referendum to be held on the same day on which the first county-wide primary, general, or special election is held after this Act becomes law. The county governing body of Winston County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. ____ of the 1967 Regular Session of the Legislature, approved the ____ day of ____, 1967, which authorizes the county governing body of Winston County to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, be adopted? Yes (), No ()." If a majority of the votes cast in the election are "Yes," then the provisions of this Act shall become operative immediately. If the majority are "No," this Act shall have no further effect. The results of the election shall be certified by the probate judge to the Secretary of State, who shall make a permanent record thereof.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 18, April 25, May 2, and May 9, all in the year 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me May 10, 1967.

BRENDA S. HICKS,
Notary Public.

Also:

By Mr. Stubbs:

H. 287. To apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices.

Also:

By Messrs. Pruitt and Manley:

H. 289. To apply only in Sumter County; regulating further the compensation of the chief deputy of the sheriff of such county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To apply only in Sumter County; regulating further the compensation of the chief deputy of the sheriff of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The chief deputy of the sheriff of Sumter County shall receive a salary of such amount as may be fixed by the court of county

commissioners, board of revenue or other governing body of the county, but such salary shall be not less than \$2,400 nor more than \$6,000, per annum, payable in 12 equal monthly installments out of the treasury of the county upon the warrants of the board of revenue or court of county commissioners of such county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 20, April 27, May 4, and May 11, all in the year 1967.

DICK SMITH.

Sworn to and subscribed before me May 22, 1967.

LOUISE W. HANLEY,
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 290. Relating to Sumter County; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Sumter County; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Sumter County is authorized to appoint a deputy in addition to the deputies heretofore authorized by law. Such deputy shall be paid a salary of not more than four hundred dollars (\$400.00) per month by the county of Sumter, out of any funds in the county treasury not otherwise appropriated. The exact amount of such salary shall be fixed by the county governing body of Sumter County.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 4, May 11, May 18, and May 25, all in the year 1967.

DICK SMITH.

Sworn to and subscribed before me June 2, 1967.

LOUISE W. HANLEY,
Notary Public.

Also:

By Messrs. Culver, Bank and Brown:

H. 313. To apply only in counties having populations of not less than 100,000 nor more than 115,000; providing for establishment, operation, and financing of educational survey committees in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 200, 214, 215, 219, 227, 260, 269, 270, 287, 289, 290 and 313.
To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pruitt, Manley and Tuck:

H. 288. To fix the compensation of the official court reporter in the seventeenth judicial circuit and provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Notice of intention to apply for enactment of a local law affecting the counties composing the Seventeenth Judicial Circuit of Alabama (Greene, Marengo, and Sumter).

Notice is hereby given in accordance with Article 4, Section 106 of the Constitution of Alabama that application will be made to the Legislature for enactment of a local law to provide further for the compensation of the official court reporter of the 17th Judicial Circuit, by increasing the amount of compensation of the court reporter which is payable by the counties composing said circuit.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-4, 5-11, 5-18, and 5-25, all in the year 1967.

R. K. MARTIN.

Sworn to and subscribed before me June 8, 1967.

GENEVA L. MATTISON,
Notary Public.

STATE OF ALABAMA COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Notice of intention to apply for enactment of a local law affecting the counties composing the Seventeenth Judicial Circuit of Alabama (Greene, Marengo, and Sumter).

Notice is hereby given in accordance with Article 4, Section 106 of the Constitution of Alabama that application will be made to the Legislature for enactment of a local law to provide further for the compensation of the official court reporter of the 17th Judicial Circuit, by increasing the amount of compensation of the court reporter which is payable by the counties composing said circuit.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1967.

GOODLOE SUTTON.

Sworn to and subscribed before me May 26, 1967.

JEAN R. SUTTON,
Notary Public.

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Notice of intention to apply for enactment of a local law affecting the counties composing the Seventeenth Judicial Circuit of Alabama (Greene, Marengo, and Sumter).

Notice is hereby given in accordance with Article 4, Section 106 of the Constitution of Alabama that application will be made to the Legislature for enactment of a local law to provide further for the compensation of the official court reporter of the 17th Judicial Circuit, by increasing the amount of compensation of the court reporter which is payable by the counties composing said circuit.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 4, May 11, May 18, and May 25, all in the year 1967.

DICK SMITH.

Sworn to and subscribed before me June 2, 1967.

LOUISE W. HANLEY,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 288. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 19. Relative to pay increase for clerical and other employees of the Legislature.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Collins (M), Hogan and Marr:

H. J. R. 43. WHEREAS of the many great days in the history of our country, none is more universally celebrated, none is more filled with meaning to true patriots, than July fourth, 1776, the birthday of the United States of America; and

WHEREAS the events which led up to the adoption of the Declaration of Independence tell the story of the birth of a new nation which was "conceived in liberty and dedicated to the proposition that all men are created equal;" and

WHEREAS the search for liberty—religious, civil, or personal—brought thousands of our early settlers to these shores, and peopled the young America with a race of men to whom liberty was more precious than life; and

WHEREAS it was because this liberty was threatened, and attempts at conciliation with the mother country had failed, that the colonial leaders finally declared on July 4, 1776, that "these United Colonies are, and of Right ought to be Free and Independent States;" and

WHEREAS our Armed Forces are this very day fighting and dying in Vietnam to preserve those freedoms; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Legislature does hereby set aside the week of July 2, 1967 as WE HONOR OUR FIGHTING FORCES IN VIETNAM WEEK in the State of Alabama, and asks each citizen to affirm his allegiance to our great United States of America by participating in any or all activities planned to honor these men and women who are fighting and dying for our freedom on foreign soil.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDermott, the Rules were suspended and the Resolution, H. J. R. 43, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. House:

H. J. R. 42. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING That when we adjourn today, June 20, we adjourn to meet again on Friday, June 23; and that when we adjourn Friday, June 23, we adjourn to meet Tuesday, June 27.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 42, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Hobbie:

H. J. R. 40. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the chief of the division of service, state department of finance, shall, with the concurrence and approval of the state building commission, cause to be constructed an adequate shelter for the use of the capitol police or guards who supervise parking in the parking lot reserved for the use of the legislators.

RESOLVED FURTHER, That this Resolution shall take effect as provided in Article 5, Section 125 of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 40, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Crawford:

H. J. R. 38. BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that

WHEREAS, there does now exist much confusion and disorder in regard to meeting days for the Legislature, and

WHEREAS, in the interest of better legislation this matter should be carefully looked into, studied and acted upon by the Legislature at the nearest possible date.

NOW, THEREFORE, the Speaker of the House of Representatives and the President of the Senate of the State of Alabama are hereby requested to appoint a Committee of three members from each legislative body to make a thorough study and investigation into the scheduling of meeting dates for the Legislature.

The Committee shall submit its recommendations to the Legislature as soon as possible.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 38, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham and Agee:

H. J. R. 39. WHEREAS alcoholism is a major national health problem which the U. S. Public Health Service and the Crime Commission have described as the fourth most serious health problem, ranking behind only heart disease, mental illness, and cancer; and

WHEREAS alcoholism which afflicts an estimated five to six million Americans, with roughly 250,000 persons joining the ranks of alcoholics each year, is defined as "any condition of abnormal behavior or illness resulting directly or indirectly from the chronic and habitual use of or dependence upon alcoholic beverages to the extent of the loss of power of self-control over their use;" and

WHEREAS the costs of alcoholism are high with the estimated cost to business and industry from absenteeism, inefficiency and accidents due to alcoholism running to some \$2 billion annually. Taxpayers, courts, police, and penal systems bear a tremendous burden as indicated by the Crime Commission's report that one out of every three arrests in 1965, approximately two million, were for public drunkenness. Half of all fatal automobile accidents have been found to have some association with alcohol. The cost of alcoholism to the families of afflicted persons is incapable of statistical measurement, but none the less tragic; and

WHEREAS recent court rulings have held that it is unconstitutional to jail an alcoholic simply because of public drunkenness, and that chronic alcoholics must be treated medically and socially and not as criminals. The reasonings of these rulings have long been recognized by the medical profession, but the result places a new and tremendous responsibility

on the states and local communities for which they are not equipped and are wholly incapable of handling without assistance; and

WHEREAS S—1508 (identical bill HR—9643) has been introduced in the 90th Congress of the United States to implement recommendations of the President's Crime Commission concerning alcoholism and to assist the states and local communities in meeting their responsibilities in connection therewith. This bill has the active support of the North American Association of Alcoholism Programs, an organization representing state and local government groups dealing with alcoholism, as well as independent authorities on the problem, and is sponsored by thirty-six senators from both parties; and

WHEREAS, in brief, this legislation would establish a Bureau of Alcoholism Care and Control within the office of the Surgeon General to coordinate and direct federal alcoholism programs. It authorizes three years of demonstration project grants for the following types of projects: detoxification centers under medical supervision; treatment centers for patients under court order; treatment programs for alcoholics in jail or correctional institutions; aftercare or post-institutional programs. Grants authorized for these purposes are \$20 million in fiscal 1968, \$35 million in fiscal 1969, and \$45 million in fiscal 1970, to be made to public and private non-profit agencies and organizations, subject to the recommendations and approval of the Surgeon General. It creates a sixteen member National Advisory Committee to be composed of at least three members involved in state or local government programs and at least three more members from local or private non-profit agencies dealing with alcoholism. It authorizes \$1.3 million over a two year period for studies of personnel practices and needs, training of specialists, and special training of doctors and police; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body being aware of the serious nature of alcoholism, its rapidly increasing prevalence and the difficulties of the states and local communities in dealing with their new responsibilities resulting from recent court rulings in cases concerning alcoholics, recommends the passage of S—1508. We urgently request each member of the Alabama Congressional Delegation, to whom copies of this resolution shall be sent, to give this legislation his whole hearted support.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lindsey, the Rules were suspended and the Resolution, H. J. R. 39, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Beck, Wright, Snodgrass, McDonald, Adwell, Kilgore, Smith (P), Berryman (R), Drake and Meade:

H. J. R. 33. WHEREAS during the past one hundred years the Congress of the United States on occasion has enacted sectional or discriminatory legislation detrimental to one or more of the several states and sometimes directed particularly against the southern states; and

WHEREAS one such discriminatory legislative act, as now interpreted and administered, is the Reclamation Act of 1902, as amended, which originally was enacted to reclaim arid and desert lands for agricultural productivity through irrigation means and projects wholly financed and constructed by an agency of the government. The said act was amended by the Congress so as to permit the furnishing of supplemental water in addition to natural rainfall for use in developing irrigation programs and projects for promoting and sustaining full crop growth during the growing season in several of the so-called seventeen western reclamation states; and

WHEREAS while the states of Hawaii and Alaska are not considered "reclamation states," the Congress has included both these states within the purview of the act and has, therefore, accorded certain benefits under the provisions of said act to the states of Hawaii and Alaska; and

WHEREAS one of the richest states in the Union, as a result of being included in the so-called western reclamation states, has received several billions of dollars in project authorizations and government funding programs, while not one single cent has been authorized for any area within the thirty-one eastern states that are excluded from participating in the reclamation program; and

WHEREAS many areas within the thirty-one eastern states excluded from the reclamation act's programs, have similar if not identical prevailing drought conditions during the crop growing season which depress the farm and rural income of these areas to a level far below that of the national farm income level; and

WHEREAS the House of Representatives of the United States Congress, as recently as July 1966 rejected adoptions of Joint Conference Report S. 602 which extended the Small Reclamation Projects Act to all fifty states. Although adoption of the report was vigorously defended by the Managers of S. 602 and notwithstanding the fact that the benefits and provisions of the Small Reclamation Projects Act would have been of incalculable value to Alabama agriculture and to other drought stricken areas of these United States not covered by the Reclamation Act, these benefits were denied to additional areas; and

WHEREAS the State of Alabama, which is outside the scope of the Reclamation Act, is a drought state during the crop growing season as determined by the Alabama Extension Service on the basis of a 25 year study of rainfall statistics within the State and documented in published Bulletin 319, dated September 1959, titled "ALABAMA, A DROUGHT STATE"; and

WHEREAS the Alabama State Legislature during August 1965 enacted the necessary enabling legislation providing for the establishment of legal irrigation districts with authority to contract with the federal agencies for irrigation projects and said enabling legislation is similar to legislation enacted in the said reclamation states; and

WHEREAS it is the sense of the Alabama State Legislature that the State of Alabama and drought affected areas during the crop growing season in other states outside the seventeen reclamation states, Alaska and Hawaii have a common right and guarantee to uniform application and extension of the provisions and benefits of the Reclamation Act of 1902 as now amended, interpreted and administered in those areas in the reclamation states that are receiving supplemental water through the reclamation irrigation programs. To continue to deny the citizens of the State of Alabama and citizens of the other thirty states like treatment under the provisions of the Reclamation Act of 1902, as amended, is preferential treatment to citizens of one state over citizens of another and is discriminatory and unconstitutional; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress of the United States be memorialized to take remedial legislative action to remove the restrictions contained in the Reclamation Act of 1902, as amended, that limit said act to aforementioned reclamation states, Alaska and Hawaii, and permit all citizens of the nation whose lands are subjected to sustained or chronic drought conditions during the crop growing season to receive the benefits under the Reclamation Act of 1902 and all amendments pertaining thereto, thereby giving these poor drought stricken farmers and communities an opportunity to improve their standard of living now being denied to them on a discriminatory basis.

RESOLVED FURTHER That each member of the Alabama delegation in the House of Representatives and the Senate of the United States Congress, to whom copies of this resolution shall be sent, is urgently requested to use all available means to secure the inclusion of Alabama and other needful states under the provisions of the Reclamation Act of 1902, as amended.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 33, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hobbie, Cameron, Harris and McElhaney:

H. J. R. 34. WHEREAS, The death of Varna Avant Rushton, Sr., on Friday, June ninth, nineteen hundred sixty-seven, has brought sorrow to his family and to his many friends in Montgomery, as well as over the State of Alabama and in other states as well; and

WHEREAS, Mr. Rushton was a member of the Scottish Rite, York Rite and Shrine and was a 33rd Degree Mason, past grand secretary of the Masonic Grand Lodge of Alabama. At the time of his death he was secretary of Oak Park Lodge No. 864, F&AM, and secretary of Bandar Grotto and was a past patron of Eastern Star, Montgomery Chapter No. 180; and

WHEREAS, Mr. Rushton was chairman of the board of deacons of Highland Avenue Baptist Church and had been a Sunday School teacher for about 10 years in the adult department.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That this body notes with deep regret and profound sorrow the death of Mr. Varna Avant Rushton, Sr. and extends its sincere sympathy to the members of his family in their great loss.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 34, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Culver:

H. J. R. 35. WHEREAS the Alabama Cattlemen's Association, which is the number one cattlemen's association in the nation, recently entertained the members of this legislature with a most enjoyable beef round-up, including a delicious, nutritious barbecue of Alabama beef; and

WHEREAS the Alabama Cattlemen's Association, through its concerted efforts to develop and promote the growing and marketing of cattle in Alabama, has added greatly to this state's present economy and laid a firm foundation for the future expansion of the beef cattle industry in this area. The association's strong belief in the system of free enterprise, evidenced in its practices, places this new and growing industry on an unquestionably sound and commendable basis; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to thank the officers, directors and members of the Alabama Cattlemen's Association for their gracious hospitality upon this most delightful occasion, and for their expressions of confidence in the Legislature of Alabama. We commend them upon their accomplishments in the beef cattle industry, and in making their organization the largest of its kind in this country.

BE IT FURTHER RESOLVED That the name of Mr. E. H. (Ham) Wilson, the executive vice-president and recognized leader of this foremost organization, be officially changed to Mr. E. H. (T-Bone) Wilson, the intent being that no disrespect to any industry, title or name shall attach thereto as a result of such designation.

RESOLVED FURTHER, That a copy of this resolution shall be sent to Mr. E. H. (T-Bone) Wilson with the suggestion that it be published in the magazine, The Alabama Cattleman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Adams, the Rules were suspended and the Resolution, H. J. R. 35, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Radney:

S. 213. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

By Mr. Clark (with notice and proof):

S. 214. To make further provisions respecting the board of revenue of Barbour County; to reduce the size of such board and redivide Barbour County into board of revenue districts and prescribe the representation of each district on such board; to provide for a president of such board; to provide for the election, term of office and compensation of members of the board; to provide for filling vacancies on the board; to repeal Act No. 221, S. 165 of the Regular Session of 1919 and Act No. 10, S. 60 of the Regular Session of 1965, which amends said Act No. 221 of 1919 and all other laws in conflict herewith.

By Mr. Cooper (with notice and proof):

S. 230. To alter, rearrange and extend the boundary lines and corporate limits of the town of Camden in Wilcox County.

By Mr. Turner (with notice and proof):

S. 231. To alter, rearrange and extend the boundary lines and corporate limits of the town of Rutledge in Crenshaw County.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Shumate and Dobbs (with substitute):

H. 99. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook (Coffee) (with notice and proof) (with amendment):

H. 128. Relating to Coffee County, further regulating the compensation of the members of the county board of education.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 207. To authorize county governing bodies to pay expenses in defending lawsuits brought against county officials growing out of the performance of their official duties.

By Mr. Branyon:

S. 229. To set the terms of office of the respective members of each Board of Revenue, Court of County Commissioners or like governing body of the several counties at six years; to repeal conflicting laws; and to establish an effective date.

Mr. Engel, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel, Givhan and Cooper:

S. 239. To propose and provide for an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding \$6,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Engel, Givhan and Cooper:

S. 240. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in SB 239 adopted at the 1967 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvements by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$6,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$6,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds

issued under the 1967 Docks Amendment (and the 1957 Docks Amendment) from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1967 Docks Amendment or said 1957 Docks Amendment.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 169. To make a supplemental appropriation to the Department of Agriculture and Industries.

By Messrs. Cooper and Leonard:

S. 172. To make an additional appropriation for salaries of certain county health department employees who are subject to the merit system for county health services of the Alabama State Department of Health.

By Messrs. Goodwyn, Lolley, McDermott, Folsom, Giles, Engel, Pelham, Vacca, Givhan, Jackson, Radney, Skidmore, Stone, Childs, Hawkins, Cooper and O'Bannon:

S. 42. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Young:

H. J. R. 32. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the community or settlement located north of Wedowee two-tenths of a mile south of Little Tallapoosa River on Highway 431 shall be named, designated, and known as Messer, and the state highway director shall cause to be erected along side the highway proper and suitable signs and markers showing such designation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 32, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 27. WHEREAS the Autauga County High School band which was chosen by Governor Wallace to represent the State of Alabama in the Fiesta of Five Flags held recently in Pensacola, Florida, acquitted themselves admirably as special ambassadors of this State; and

WHEREAS the musical ability of these boys and girls was clearly evidenced in the technique and tonal qualities of their renditions, and the manner in which they conducted themselves brought much favorable comment; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate the Autauga County High School band on the excellence of their performance upon this festive occasion, and we commend them for their substantial contribution to the many creditable attainments for which Alabama is justly proud.

On motion of Mr. McCarley, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. McCarley also offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. WHEREAS the State of Alabama in 1964 paid one thousand dollars (\$1,000) to the Association of State Fiscal Officers, which funds were transferred in November 1966 to the National Association of Auditors, Comptrollers and Treasurers with executive offices located in Raleigh, North Carolina; and

WHEREAS this money was transferred with the understanding that the ten participating states could, upon petitions therefor, receive a refund of any money paid into this organization, and the State of Pennsylvania has so requested and received its money; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Finance Director be requested to institute proper proceedings for securing a refund of Alabama's deposit of this one thousand dollars (\$1,000).

Which was read and referred to the Standing Committee on Rules.

Messrs. Pierce, Goodwyn and Bailes offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. WHEREAS the Sigma Alpha Epsilon Fraternity was founded in 1856 at the University of Alabama and is the only national fraternity founded in the Deep South, and

WHEREAS Sigma Alpha Epsilon has developed and progressed since that glorious Alabama beginning to become the largest social fraternity in our nation, and

WHEREAS the three chapters within our State—located at Auburn University, Birmingham-Southern College, and the University of Alabama—have contributed outstanding leaders in the fields of business, government, and the professions, and

WHEREAS the late Governor William Brandon and the late Judge Walter B. Jones, native Alabamians of notable distinction, both served as National President of Sigma Alpha Epsilon, and

WHEREAS the National Convention of SAE will be held June 18-21, 1967, in Minneapolis, Minnesota, with the fraternity celebrating its 111th anniversary, and

WHEREAS Steve T. Walker of Montgomery, an active member of the University of Alabama chapter, will be the Keynote Speaker at this Convention—thus becoming the first undergraduate in the fraternity's history to be so honored, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our expression of pride and good wishes to Steve Walker as he represents Alabama and her people at this important national event.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Mr. Walker and to Mr. Rex A. Smith, National Executive Secretary of Sigma Alpha Epsilon.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION IN WRITING

Mr. Folsom offered the following Motion in Writing, to-wit:

MOTION IN WRITING

By Mr. Folsom

In accordance with the notice in writing previously given, I now move that Senate Rule 47 be amended to read as follows:

Rule 47. There shall be thirty standing committees upon the following subjects:

1. On the judiciary. Seventeen members.
2. On constitution and constitutional revision and amendments. Thirteen members.
3. On finance and taxation including accounts and claims, and fees and salaries. Fifteen members.
4. On banking. Nine members.
5. On insurance. Seven members.
6. On public welfare and correctional institutions. Nine members.
7. On corporations. Six members.
8. On local legislation No. 1. Seven members.
9. On education. Twenty-one members.
10. On commerce and common carriers. Seven members.
11. On mining and manufacturing. Nine members.
12. On agriculture. Twelve members.
13. On municipalities and municipal organizations, including charitable institutions. Nine members.

14. On counties and county boundaries. Five members.
15. On immigration, industrial resources and labor. Nine members.
16. On public buildings and grounds. Three members.
17. On privileges and elections, including grievances, inabilities and registration. Eleven members.
18. On printing. Five members.
19. On public health. Five members.
20. On military. Seven members.
21. On temperance. Nine members.
22. On engrossed bills. Three members.
23. On enrolled bills. Three members.
24. On revision of the journal. Four members, whose duty it shall be to examine in reference to each bill or resolution finally passed by the Legislature and report whether the journal contains the entries required by the Constitution.
25. On public roads and highways. Fifteen members.
26. On fish and game. Ten members.
27. On forestry and conservation. Ten members.
28. On rules. Seven members.
29. On seaports. Seven members.
30. On aviation and traffic. Seven members.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 19. Giving Legislative employees additional compensation of Three dollars per day.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate

Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 22. To amend Act No. 440, H. B. 967, Regular Session 1961, providing compensation for commissioners of The Selma Housing Authority for performance of certain duties.

Also:

S. 47. To amend Section 1 of Act No. 631, S. 538, Regular Session 1957 (Acts 1957, p. 948) an Act fixing the compensation and providing an expense allowance for members of the county governing body of Geneva County, so as to regulate further such compensation and allowances; and to repeal conflicting laws including Act No. 643, S. 590 and Act No. 727, H. 1247, Regular Session 1965 (Acts 1965, p. 1162 and p. 1333).

Also:

S. 62. Relating to Tallapoosa County; further regulating the places of meetings of the board of registrars; and providing additional compensation for members of such board, to be paid out of county funds.

Also:

S. 63. To provide an expense allowance for county solicitors of counties having a population of not less than 34,000 nor more than 35,500, according to the last or any subsequent Federal decennial census.

Also:

S. 76. Relating to St. Clair County; regulating further the compensation of the county superintendent of education; repealing conflicting laws, including Act No. 101, H. 296, approved June 27, 1963 (Acts 1963, v. 1, p. 485).

Also:

S. 78. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Also:

S. 79. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glen Allen in Fayette County.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Cooper, further consideration of the Bill, S. B. 29, as amended, was indefinitely postponed by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first of which was the Bill:

S. 2. Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

Mr. Dominick offered the following amendment to the Bill, S. B. 2, to-wit:

AMENDMENT TO S. B. 2

S. B. No. 2 shall be amended by adding to Section 116 the following sentence "This shall not apply to any person holding office at the time of passage of this amendment."

Which was lost.

Yeas 11; Nays 21.

Yeas:

Messrs.:	Dominick	McDermott	Pierce	
Albea	Harris	Morrow	Radney	
Bailes	McCarley	O'Bannon	Torbert	—11

Nays:

Messrs.:	Cooper	Goodwyn	Oden	
Adams	Engel	Hawkins	Pelham	
Branyon	Folsom	Jackson	Stone	
Carr	Giles	Leonard	Turner	
Childs	Gilmore	Lindsey	Vacca	—21
Clark	Givhan			

Mr. Dominick moved that further consideration of the Bill, S. B. 2, be postponed until the next Legislative Day.

On motion of Mr. Nabors, the motion to postpone was laid on the table.

Yeas 28; Nays 5.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Adams	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Radney	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	—28
Cooper				

Nays:

Messrs.:	Dominick	Morrow	Pierce	
Bailes	Harris			—5

And said Bill, S. B. 2, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 4.

Yeas:

Messrs.:	Engel	Jackson	Oden
Adams	Folsom	Leonard	Pelham
Albea	Giles	Lindsey	Radney
Branyon	Gilmore	Lolley	Stone
Carr	Givhan	McCarley	Torbert
Childs	Goodwyn	McDermott	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

—30

Nays:

Messrs.:	Dominick	Morrow	Pierce
Bailes			

—4

The Senate proceeded to consideration of the second item of Unfinished Business, which was the Bill:

S. 24. To amend Act No. 132, H. 186, Regular Session 1945, an act to regulate the making and applying of rates for fire, inland marine, and all other kinds of insurance which fire insurance companies are authorized to write in this State (General Acts 1945, p. 133).

The question was on the amendment offered by Mr. McCarley, which said amendment is set out at length in the Journal of the Senate for the Ninth Legislative Day.

Mr. Bailes moved that further consideration of the Bill, S. B. 24, and pending amendment, be indefinitely postponed. On motion of Mr. Givhan, the motion to indefinitely postpone was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Engel	Leonard	Pierce
Adams	Giles	Lindsey	Stone
Branyon	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Hawkins	O'Bannon	Vacca
Cooper	Jackson		

—21

Nays:

Messrs.:	Dominick	Harris	Pelham
Bailes	Folsom	McCarley	Radney
Carr			

—8

The question recurred on the amendment offered by Mr. McCarley, and on motion of Mr. Givhan, said amendment was laid on the table.

Yeas 16; Nays 8.

Yeas:

Messrs.:	Folsom	Goodwyn	Morrow
Adams	Giles	Leonard	O'Bannon
Albea	Gilmore	Lolley	Pierce
Cooper	Givhan	McDermott	Turner
Engel			

—16

Nays:

Messrs.:	Childs	Harris	McCarley
Bailes	Dominick	Lindsey	Nabors
Carr			

—8

Mr. McCarley then offered the following amendment to the Bill, S. B. 24, to-wit:

AMENDMENT TO S. B. 24

Amend S. B. 24, Sect. 3, by adding after last sentence: If the supervisor rules against the company's rate increase the company will refund to the insured all such excess premium collected.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Engel	Harris	McDermott
Bailes	Giles	Leonard	Morrow
Branyon	Gilmore	Lindsey	O'Bannon
Childs	Givhan	Lolley	Stone
Cooper	Goodwyn	McCarley	Turner
Dominick			

—20

Nays:

—0

MOTION TO ADJOURN LOST

At 5:35 P. M., Mr. McDermott moved that the Senate adjourn until Wednesday, June 21, 1967, at 2 o'clock P. M., which motion was lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Cooper	Harris	McDermott
Adams	Dominick	Hawkins	Morrow
Bailes	Engel	Jackson	Oden
Carr	Gilmore	Lindsey	Turner

—15

Nays:

Messrs.:	Givhan	McCarley	Radney
Branyon	Goodwyn	Nabors	Stone
Clark	Leonard	O'Bannon	Torbert
Folsom	Lolley	Pierce	Vacca
Giles			

—16

MOTION IN WRITING

Mr. Radney offered the following Motion in Writing:

I move that the Senate now adjourn to meet at 2:00 P. M. tomorrow and when the Senate adjourns Wednesday it adjourn to meet again on Friday of this week.

Which was read and referred to the Standing Committee on Rules.

MOTION TO RECONSIDER

Mr. McCarley moved that the Senate reconsider the vote by which the motion offered by Mr. McDermott to adjourn until Wednesday, June 21, 1967 was lost.

On motion of Mr. Cooper, the motion to reconsider was laid on the table.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Adams	Folsom	Leonard	Stone	
Branyon	Giles	Lolley	Torbert	
Clark	Givhan	Nabors	Turner	
Cooper				—16

Nays:

Messrs.:	Gilmore	McCarley	Pierce	
Bailes	Goodwyn	McDermott	Radney	
Carr	Harris	Morrow	Vacca	
Dominick	Hawkins	O'Bannon		—14

FURTHER CONSIDERATION OF S. B. 24

The Senate proceeded to further consideration of the Bill, S. B. 24, as amended.

Mr. Harris offered the following amendment to the Bill, S. B. 24, as amended, to-wit:

AMENDMENT TO S. B. 24

Amend Section 5 by deleting the entire section and substituting therefor the following:

"Section 5. This Act shall become effective immediately upon its passage and approval by the Supervisor and its further approval by the Governor.

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 19; Nays 10.

Yeas:

Messrs.:	Engel	Goodwyn	Oden	
Adams	Folsom	Jackson	Pierce	
Branyon	Giles	Leonard	Stone	
Clark	Gilmore	Lolley	Torbert	
Cooper	Givhan	O'Bannon	Vacca	—19

Nays:

Messrs.:	Dominick	McCarley	Nabors	
Bailes	Harris	McDermott	Radney	
Carr	Hawkins	Morrow		—10

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate

Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 10. Delivered to the Governor June 20, 1967, at 1:40 P. M.

S. J. R. 11. Delivered to the Governor June 20, 1967, at 1:40 P. M.

S. J. R. 14. Delivered to the Governor June 20, 1967, at 1:40 P. M.

S. J. R. 6. Delivered to the Governor June 20, 1967, at 2:55 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 6:04 P. M., on motion of Mr. Dominick, in accordance with motion heretofore adopted by the Senate, and pending further consideration of the Bill, S. B. 24, the Senate adjourned until Wednesday, June 21, 1967, at 2 o'clock P. M.

Yeas 20; Nays 8.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Adams	Engel	Jackson	Pelham	
Bailes	Giles	McDermott	Pierce	
Branyon	Gilmore	Morrow	Stone	
Carr	Harris	Nabors	Vacca	
Cooper				—20

Nays:

Messrs.:	Goodwyn	Lolley	Radney	
Clark	Leonard	McCarley	Torbert	
Givhan				—8

TWELFTH LEGISLATIVE DAY

WEDNESDAY, JUNE 21, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Henry Frank Chunn, Minister, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee in Session, has carefully examined the Journal of the Senate for the Eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eleventh Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Albea:

S. 285. To amend Act No. 176, H. B. 463, Regular Session 1965, an Act applying only in counties having populations of not less than 76,000 nor more than 96,000 and regulating the compensation and allowances of members of boards of education of such counties.

Committee on Local Legislation No. 1.

By Messrs. Folsom, Giles, Jackson and Givhan:

S. 286. To make annual appropriations from the general fund in the state treasury to the use of the commissioner of agriculture and industries in the promotion of agricultural interests throughout the state through agricultural fairs, livestock shows and other agricultural and industrial exhibits and to prescribe the manner in which funds appropriated for that purpose shall be disbursed.

Committee on Finance and Taxation.

By Messrs. Skidmore and Leonard:

S. 287. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and

related hazards, fix membership dues, and authorize gifts, contributions and donations to the fund.

Committee on Finance and Taxation.

By Messrs. Skidmore and Leonard:

S. 288. To make an appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373 of Acts of the Legislature of 1955, Volume II, page 898, approved September 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Committee on Finance and Taxation.

By Mr. Dominick:

S. 289. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of certain judges, creating a judicial qualifications commission and defining its powers, duties and authority.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Hawkins, Nabors, Bailes, McDermott, Gilmore, Giles, Childs, Dominick, Albea, Leonard, Vacca, Carr, Radney and Folsom:

S. 290. To amend Code of Alabama 1940, Title 55, Section 110, which requires that public printing and binding shall be done under contracts.

Committee on Printing.

By Messrs. Childs, Morrow, Bailes, Vacca and Dominick:

S. 291. To provide for regulation and control of motor vehicles bought for use of state officers and employees on official business, to limit the number thereof, to provide for the repair and maintenance of such motor vehicles, to provide for a transportation pool and a revolving fund, and to provide for administration of the Act and enforcement of penalties as prescribed therein.

Committee on Finance and Taxation.

By Mr. Radney:

S. 292. To apply only in all counties of this state having not less than 34,000 nor more than 35,500 population according to the last or any subsequent federal decennial census, prohibiting the taking, catching, capturing or killing game or non-game fish by use of a gill net in public waters in such counties.

Committee on Local Legislation No. 1.

By Messrs. Cooper, Lolley, Torbert and Pelham:

S. 293. To furnish (1) medical assistance on behalf of families with dependent children and of aged, blind, or permanently and totally disabled individuals, whose income and resources are insufficient to meet the cost of necessary medical services, and (2) rehabilitation and other services to help such families and individuals attain or retain capability for independence or self-care, and to designate the State Board of Health as the single state agency to administer or supervise the administration of the plan; to designate services and materials provided

therefor; to provide freedom of choice by recipients of materials and services provided for herein; to authorize the receipt of grants and gifts for the purpose of carrying out the provisions of this Act; to provide for a contract with a fiscal agent to perform duties and services hereunder; to create an Advisory Committee and provide for its composition and duties; to provide that the provisions of this Act are severable; to repeal all laws or parts of laws in conflict therewith; and to provide when this Act shall become effective.

Committee on Public Health.

By Mr. Lolley:

S. 294. To make an appropriation from the Alabama special educational trust fund in the state treasury to the use of the board of education of Geneva County for completing the construction of a new county high school at Hartford.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 295. To define and prohibit the unfair sales of tires; and to provide remedies and set forth penalties for violations.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 296. To levy additional sales and use taxes on tires and to provide for the collection and enforcement of such taxes.

Committee on Finance and Taxation.

By Mr. Engel:

S. 297. To apply only in counties having populations of not less than 300,000 nor more than 500,000, fixing the compensation of the assistant chief deputy sheriff of any such county and repealing conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Engel:

S. 298. Relating to the duties of supernumerary circuit court judges, authorizing the assignment of such judges by the presiding circuit judges of the judicial circuits in which they reside.

Committee on Judiciary.

By Mr. Engel:

S. 299. To amend further Section 1 of Act No. 936, H. 652, Regular Session 1951 (Acts 1951, p. 1605), an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a circuit court judge.

Committee on Finance and Taxation.

By Mr. Adams:

S. 300. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Public Safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to grant to and impose upon the Department of Public Safety the functions, authority, powers and duties prescribed by the Act; and to impose penalties for violations of this Act.

Committee on Aviation and Traffic.

By Mr. Engel:

S. 301. To amend Act No. 79, S. B. 76, Special Session 1961, an act regulating the practice of engineering and land surveying, in relation to definitions and general requirements for registration and certification.

Committee on Judiciary.

By Mr. Engel:

S. 302. To provide that a dog guide may accompany a blind person in any place of public accommodation or public conveyance; to provide that violation of this Act shall be a misdemeanor.

Committee on Judiciary.

By Messrs. Turner and Goodwyn:

S. 303. To amend Section 5 and Section 8 of Act No. 515, H. B. 93, approved July 9, 1945 (General Acts 1945 Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Committee on Finance and Taxation.

By Mr. O'Bannon:

S. 304. To amend Act No. 107, H. 455, Regular Session 1965, an act changing the method of compensating certain officers of Lauderdale County and placing such officers on a salary basis.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 107, H. 455, Regular Session 1965, an act changing the method of compensating certain officers of Lauderdale County and placing such officers on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 107, H. 455, Regular Session 1965, an act changing the method of compensating certain officers of Lauderdale County and placing such officers on a salary basis (Acts 1965, v. 1, p. 167) is hereby amended to read as follows:

"Section 1. The following officers of Lauderdale County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

"The judge of probate shall receive an annual salary of \$14,750, which shall include his compensation for all ex officio duties.

"The sheriff shall receive an annual salary of \$12,500.00 and shall also be entitled to his actual expenses, including travel expenses and also such mileage and expense allowance as may be payable, according to law for returning or transferring prisoners and insane persons to or from points outside Lauderdale County, in performing those duties necessary to his office, said expenses shall be paid by the County governing body upon presentation of proper proof and an itemized, verified account of said expenses.

"The tax assessor and the tax collector shall each receive an annual salary of \$12,500.00.

"The clerk of the circuit court shall receive an annual salary of \$12,500, which shall include his compensation for all ex officio duties.

"The register of the circuit court shall receive an annual salary of \$9,600."

Section 2. Section 2 of said Act No. 107 of 1965 is amended to read as follows:

"Section 2. The court of county commissioners, board of revenue, or other like governing body of Lauderdale County, shall provide compensation for clerks, assistants and secretaries for the officers enumerated in this Act in such number as may be necessary for the efficient conduct of their offices. The sheriff shall be allowed a jailer and the same number of deputies and other assistants as are now provided by law, who shall receive the compensation and allowances as may be prescribed by law. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, county commissioners, or other like county governing body as to number and rate of pay, except as herein otherwise provided. The county shall begin paying the compensation of the clerks, deputies, and other assistants of the tax assessor and of the tax collector on June 1, 1967."

"Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1 shall be collected hereafter for the use of the county and shall be paid into the general fund of the county from which the salaries and allowances of the officers shall be paid. PROVIDED, the sheriff shall be entitled to the allowances payable by the state for feeding prisoners. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county. In event the payment of such fees, commissions, allowances, charges and court costs into the general fund of the county produces more revenue than is needed to pay the salaries, compensation and allowances herein provided for any remaining surplus may be used for such general fund purpose or purposes as may be permitted by law."

"Section 4. The court of county commissioners board of revenue, or other like governing body of Lauderdale County shall provide the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register of the circuit court with the books, stationery, office equipment, supplies, postage, and other conveniences and conveyances as may be necessary for the proper and efficient conduct of the affairs of their respective offices."

"Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains."

"Section 6. All laws or parts of laws which conflict with this Act are repealed."

"Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, except the county appointive office of register of the Circuit Court which shall become effective on the first day of October, 1967."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Royce B. Isom, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 22, March 29, April 5, and April 12, all in the year 1967.

ROYCE B. ISOM.

Sworn to and subscribed before me April 12, 1967.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires Oct. 17, 1967.

By Mr. Pelham:

S. 305. To make an appropriation to the Division of Seafoods of the Department of Conservation for the fiscal year ending September 30, 1967.

Committee on Finance and Taxation.

By Mr. Pelham:

S. 306. To amend Title 8, Section 40, Code of Alabama 1940, which pertains to non-resident trip fishing licenses.

Committee on Fish and Game.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Goodwyn and Pierce:

S. 58. To amend further Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

By Mr. Engel:

S. 125. Relating to motor vehicles, requiring that seat safety belts and anchors sold or installed for use in connection with the operation of motor vehicles on any highway in this state meet specifications prescribed by the Department of Public Safety; and prescribing penalties for violation of this Act.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Morrow (with substitute):

S. 219. To prohibit the false personation of a peace officer of this state and to provide a penalty therefor.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Engel:

S. 258. To amend Act No. 549, S. 2, of the Regular Session of 1965, the Uniform Commercial Code, in relation to the liability of a filing officer for errors and omissions made in certificates showing whether there is on file in his office on the date of the certificate certain documents relative to secured transactions.

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 205. To amend Title 5, Section 255 of the Code of Alabama of 1940 so as to provide for the pledging or hypothecation of accounts held jointly in Savings and Loan Associations by one of such joint owners.

By Mr. Engel:

S. 256. To amend Act No. 603, H. B. 69, Regular Session 1957, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies (Acts 1957, v. 2, p. 862), so as to regulate further the fees imposed for examination of credit unions.

By Mr. Engel:

S. 257. Relating to payment by credit unions of share and deposit accounts not exceeding one thousand dollars (\$1,000) on the death of persons having such accounts; and discharging credit unions from further liability in respect to such accounts by payment of same to designated persons.

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors (with amendment):

S. 8. To authorize and regulate savings and loan deposits in two names, and to permit any payment thereof, and any interest and dividends thereon, to either party whether the other be living or dead, and to regulate savings and loan deposits made by any person in trust for another and to permit payment thereof to the person for whom such

deposit was made, whether adult or minor, upon the death of the trustee, when no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said savings and loan association.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Branyon (with notice and proof):

S. 250. To amend Sections 2(a) and 2(b) of Act number 353, H. 773, Regular Session, 1953 (Acts, 1953, p. 421), an Act relating to Fayette County: To impose extra, new and additional duties upon the members of the county governing body, and provide for their compensation.

By Messrs. Torbert and Radney:

S. 282. To provide for an expense allowance for each of the circuit judges of all judicial circuits in this State composed of five (5) counties, with not less than three (3) circuit judges; and providing for the payment of such expense allowance out of the general funds of the counties composing such judicial circuits.

By Mr. Lemley (with notice and proof):

H. 124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Oneonta, in Blount County, Alabama, so as to annex territory to the said city.

By Mr. Mathews:

H. 195. To apply only in counties having populations of not less than 11,000 nor more than 13,000 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

By Mr. Mathews:

H. 196. To amend Act No. 362, H. B. 721, Regular Session 1963, an act relating to counties having a population of not less than 11,000 nor more than 13,000 inhabitants.

By Messrs. Wright, Malone and Owens (W. E.):

H. 200. To apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county.

By Mr. Agee (with notice and proof):

H. 214. To create and establish an inferior court for Washington County in lieu of the court of general sessions created by Act No. 137, H. B. 435, Regular Session 1963; abolishing the court of general sessions, and making provisions for the officers and jurisdiction of the inferior court.

By Messrs. Agee and McCorquodale (with notice and proof):

H. 215. To provide for the compensation of jurors in Washington County.

By Mr. Merrill:

H. 219. To provide that the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 70,000 nor more than 96,000, according to the last or any subsequent federal decennial census, shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

By Mr. Cook (Coffee) (with notice and proof):

H. 260. To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

By Mr. Fite (with notice and proof):

H. 269. Relating to Marion County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

By Mr. Fite (with notice and proof):

H. 270. Relating to Winston County; authorizing the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and providing for a referendum thereon.

By Messrs. Pruitt, Manley and Tuck (with notice and proof):

H. 288. To fix the compensation of the official court reporter in the seventeenth judicial circuit and provide for the payment thereof.

By Messrs. Pruitt and Manley (with notice and proof):

H. 289. To apply only in Sumter County; regulating further the compensation of the chief deputy of the sheriff of such county.

By Messrs. Pruitt and Manley (with notice and proof):

H. 290. Relating to Sumter County; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

By Messrs. Culver, Bank and Brown:

H. 313. To apply only in counties having populations of not less than 100,000 nor more than 115,000; providing for establishment, operation, and financing of educational survey committees in such counties.

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Branyon (with amendment):

S. 148. To amend Section 1 of Act No. 430, H. 823, Regular Session 1965, providing for a program for education in the field of library science and authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants; to facilitate the awarding of such grants.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Harris, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper:

S. 244. Proposing an amendment to the Constitution of Alabama relating to the office of Commissioner of Agriculture and Industries.

The above Bill was read a second time at length as required by the Constitution.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper (with amendment):

S. 242. To make further provisions respecting the organization of the State Board of Agriculture and Industries, to abolish the State Board of Agriculture and Industries as presently constituted under Title 2, Article 3 of Chapter 1, Code of Alabama 1940, as last amended, and to create and establish a new State Board of Agriculture and Industries, to prescribe the powers and duties of the new Board, to provide for its membership and to provide for the method of the appointment of its members and to prescribe the qualifications of its members, their tenure and compensation, and to provide for the appointment of the Commissioner of Agriculture and Industries and an Assistant Commissioner and prescribe the powers and duties of the Commissioner and Assistant Commissioner, and to repeal Sections 25, 26 and 27 of Title 2, Code of Alabama 1940.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Harris, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper:

S. 245. To amend Title 17, Sections 65, 66 and 68, Code of Alabama 1940, which relate to elections.

By Messrs. Givhan, Adams, Branyon, Carr, Giles, Harris, Pierce, Torbert, Turner, Leonard, Radney, Childs, Engel, Bailes, Hawkins, Albea, Morrow, Nabors, Gilmore, Clark, Vacca and Cooper:

S. 243. To amend Title 2, Sections 14, 16 and 17, Code of Alabama 1940, which relate to the office of Commissioner of Agriculture and Industries.

Mr. Pelham, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 132. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having

populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

BILLS ON THIRD READING

The Bill:

S. 42. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Folsom	Lolley	Pierce
Adams	Gilmore	McDermott	Radney
Albea	Givhan	Morrow	Skidmore
Bailes	Goodwyn	Nabors	Stone
Childs	Hawkins	O'Bannon	Torbert
Clark	Jackson	Oden	Turner
Dominick	Leonard	Pelham	Vacca
Engel	Lindsey		

—29

Nay: Mr. Carr

—1

RESOLUTIONS

Messrs. Cooper and Bailes offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, that the Lieutenant Governor appoint a committee of two from the Senate and the Speaker of the House appoint a committee of two from the House to escort Honorable Orville R. Rush and former Governor George C. Wallace to the Joint Session, Friday, June 23, for the purpose of hearing and address by the said Orville R. Rush.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Turner offered the following Senate Resolution, to-wit:

S. R. 31. BE IT RESOLVED BY THE SENATE OF ALABAMA that the Secretary to the Lieutenant Governor and the Clerk of the Finance and Taxation Committee shall be allowed an additional compensation of Four Dollars (\$4.00) per day.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 210. To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McDermott	Pierce	
Branyon	Givhan	Morrow	Radney	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

S. 155. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Torbert	
Branyon	Givhan	Morrow	Turner	
Carr	Goodwyn	Nabors	Vacca	
Childs	Leonard			—25

Nays: —0

The Bill:

S. 156. To repeal Act No. 99, S. 79, Special Session 1967, approved April 7, 1967, relating to the Sixth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Skidmore	
Bailes	Giles	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 208. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Gilmore	McCarley	Skidmore	
Albea	Givhan	McDermott	Stone	
Bailes	Goodwyn	Morrow	Torbert	
Branyon	Harris	Nabors	Turner	
Carr	Hawkins	O'Bannon	Vacca	
Clark	Jackson			—25

Nays: —0

The Bill:

H. 8. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing expense allowances for the tax assessor, tax collector, and circuit court clerk, and repealing conflicting laws.

was taken up.

Mr. Albea offered the following amendment to the Bill, H. B. 8, to-wit:

AMENDMENT TO H. B. 8

Add at the end of Section 3 the following sentence: The Act shall be given retroactive effect to May 10, 1967.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Albea	Engel	Lolley	Pierce	
Branyon	Folsom	McCarley	Radney	
Carr	Giles	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Leonard			—25

Nays: —0

And said Bill, H. B. 8, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Albea	Engel	Lolley	Pierce	
Branyon	Folsom	McCarley	Radney	
Carr	Giles	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Leonard			—25

Nays: —0

The Bill:

H. 9. To provide expense allowances for the circuit judges of the seventh judicial circuit; to fix the expiration dates of such expense allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Childs	Gilmore	McCarley	Skidmore	
Clark	Givhan	O'Bannon	Stone	
Cooper	Hawkins	Oden	Torbert	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 10. Relating to counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census; to authorize the county governing bodies of all such counties to provide an additional clerk-hire allowance to the circuit clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Givhan	McDermott	Pierce	
Branyon	Goodwyn	Morrow	Radney	
Carr	Harris	Nabors	Skidmore	
Childs	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 35. To amend Act No. 20, H. 1, approved March 11, 1965 (Acts, Special Session 1965, v. 1, p. 35), an act fixing the compensation of bailiffs serving in courts in Autauga County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Skidmore	
Branyon	Givhan	O'Bannon	Stone	
Carr	Goodwyn	Oden	Torbert	
Childs	Leonard			—25

Nays: —0

The Bill:

H. 58. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner. was taken up.

Mr. Branyon offered the following amendment to the Bill, H. B. 58, to-wit:

AMENDMENT TO H. B. 58

In Section 1, add the following sentence at the end thereof: And provided further, that no coroner's fees shall be collected or claimed in any court in any county to which this Act shall apply.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Adams	Gilmore	McDermott	Skidmore	
Albea	Givhan	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

And said Bill, H. B. 58, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Adams	Gilmore	McDermott	Skidmore	
Albea	Givhan	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 59. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	Nabors	Skidmore	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

H. 60. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Childs	Gilmore	McCarley	Skidmore	
Clark	Givhan	McDermott	Stone	
Cooper	Goodwyn	Morrow	Torbert	
Dominick	Harris	Pelham	Turner	
Engel	Leonard			—25

Nays:

—0

The Bill:

H. 61. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Morrow	Skidmore	
Albea	Giles	Nabors	Stone	
Branyon	Gilmore	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25

Nays:

—0

The Bill:

H. 89. To amend Act No. 284, H. B. 657, Regular Session 1947, an act authorizing the governing body of Pickens County to pay the compensation of a deputy sheriff other than the chief deputy.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays:

—0

The Bill:

H. 110. To fix the compensation of certain county officers in all counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census.

was taken up.

Mr. Albea offered the following amendment to the Bill, H. B. 110, to-wit:

AMENDMENT TO H. B. 110

In Section 1, strike out the second sentence and insert in lieu thereof the following: The salary provided in this Act shall be the entire compensation of each officer named herein and shall take the place of all allowances for expenses or otherwise when this Act takes effect as provided in Section 3.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	McCarley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Goodwyn	Pelham	Turner	
Cooper	Leonard			—25

Nays: —0

And said Bill, H. B. 110, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	McCarley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Goodwyn	Pelham	Turner	
Cooper	Leonard			—25

Nays: —0

The Bill:

H. 87. To amend Act No. 666, Acts of Alabama, 1957 relating to Montgomery County; changing the method of compensating the Register of the Circuit Court of Said County, fixing his compensation, providing for his deputies and assistants and the operation of his office, and for the disposition of costs and fees collected by him.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Adams	Folsom	Lindsey	Skidmore	
Albea	Giles	Lolley	Stone	
Bailes	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 224. To apply only in counties having populations of not less than 14,900 nor more than 15,000 according to the most recent federal decennial census, providing clerk hire allowances for certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Radney	
Childs	Harris	Nabors	Skidmore	
Clark	Hawkins	O'Bannon	Stone	
Cooper	Jackson	Oden	Turner	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 52. To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Loiley	Pelham	
Adams	Folsom	McDermott	Pierce	
Albea	Giles	Morrow	Stone	
Bailes	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 125. To amend Act No. 64, H. B. 17, Special Session 1967, entitled "An Act to provide further for the compensation of the circuit court judges of the seventh judicial circuit."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Branyon	Folsom	Lolley	Radney	
Carr	Giles	McCarley	Skidmore	
Childs	Gilmore	McDermott	Turner	
Clark	Givhan	Oden	Vacca	
Cooper	Goodwyn			—25

Nays:

—0

The Bill:

H. 126. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Giles	Morrow	Radney	
Bailes	Gilmore	Nabors	Skidmore	
Branyon	Givhan	O'Bannon	Stone	
Carr	Goodwyn	Oden	Torbert	
Childs	Leonard			—25

Nays:

—0

The Bill:

H. 129. Relating to the City of Opp in Covington County: Authorizing the City of Opp as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporations and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Goodwyn	McDermott	Radney	
Childs	Harris	Nabors	Skidmore	
Clark	Hawkins	O'Bannon	Stone	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard			—25

Nays:

—0

The Bill:

H. 130. Relating to Covington County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Turner	
Clark	Harris			—25

Nays:

—0

The Bill:

H. 163. Relating to Walker County; providing an additional clerk hire allowance for the circuit clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 159. Relating to Pickens County; prescribing the times when county offices may be closed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Skidmore	
Albea	Folsom	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 213. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Branyon	Giles	McCarley	Radney	
Childs	Gilmore	McDermott	Torbert	
Clark	Givhan	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 230. To alter, rearrange and extend the boundary lines and corporate limits of the town of Camden in Wilcox County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Vacca	
Childs	Goodwyn			—25

Nays: —0

The Bill:

S. 231. To alter, rearrange and extend the boundary lines and corporate limits of the town of Rutledge in Crenshaw County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	McDermott	Pierce	
Bailes	Goodwyn	Morrow	Radney	
Clark	Harris	Nabors	Skidmore	
Cooper	Hawkins	O'Bannon	Turner	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 214. To make further provisions respecting the board of revenue of Barbour County; to reduce the size of such board and redivide Barbour County into board of revenue districts and prescribe the representation of each district on such board; to provide for a president of such board; to provide for the election, term of office and compensation of members of the board; to provide for filling vacancies on the board; to repeal Act No. 221, S. 165 of the Regular Session of 1919 and Act No. 10, S. 60 of the Regular Session of 1965, which amends said Act No. 221 of 1919 and all other laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Oden	
Adams	Gilmore	McCarley	Skidmore	
Albea	Givhan	McDermott	Stone	
Bailes	Goodwyn	Morrow	Torbert	
Branyon	Harris	Nabors	Turner	
Carr	Hawkins	O'Bannon	Vacca	
Clark	Jackson			—25

Nays: —0

The Bill:

H. 99. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 99, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in and only in counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census.

Section 2. In all counties to which this act applies the sheriff may issue special permits without cost for the movement of houses or other objects not exceeding twenty-eight feet in width and seventeen feet in overall height from the ground when loaded on the truck or trailer to be used in making such movement on or along the county roads of such counties, or through towns and municipalities within the county or across state roads under certain conditions.

Section 3. Prior to the moving of any such house or other object on or along any county road, any person desiring to move such house or object shall apply to the sheriff for a permit therefor, giving a description of the house or other object to be moved and stating the overall width and height from the ground of the same when loaded on the truck or trailer to be used in making the proposed movement and specifying the place from and to which the house or object is to be moved, the roads over which it will be necessary to travel or cross, the date and hour on which the movement is contemplated and the estimated duration of time to be consumed in the movement. If the sheriff finds that the dimensions of the house or other object to be moved do not exceed twenty-eight feet in width or seventeen feet in overall height from the ground when loaded on the truck or trailer to be used in making the proposed movement and that the movement of such house or object would not otherwise endanger persons or property then he shall thereupon without charge issue a written permit in duplicate authorizing the move, and, in his discretion, may for good cause change or alter the route to be taken or the date or hour of the movement so as to conform insofar as possible with all laws or rules of public safety, and to prevent unnecessary traffic congestion or inconvenience to the general public.

In the event the house or object to be moved exceeds seventeen feet in overall height from the ground when loaded on the truck or trailer to be used in making the proposed movement, special permission for such movement may be granted by the sheriff provided the person desiring to make such movement has given 72 hours prior written notice, not counting Saturdays and Sundays and legal holidays to each town or municipality and to each electric or communication utility, including municipal and rural electric cooperatives, having overhead wires in the area of the route to be followed in the proposed movement or having other facilities that might be affected by such movement and provided such person has made appropriate arrangements with each such town, municipality and utility for assistance in making the move and agreed to reimburse each such town, municipality and utility for all expenses and any damages incurred as a result of any such move. The notice to the towns, municipalities and utilities must contain the same information as appears in the application to the sheriff for the permit. Nothing herein shall be construed to require such utility to de-energize, move, or ground overhead wires where service to the public would be substantially interfered with, or the health, safety or welfare of the public would thereby be endangered.

The mover shall keep one copy of the sheriff's permit in his possession throughout the duration of the move and shall make the movement only over the roads or streets designated for such use in the written permit.

Section 4. Any person desiring to move such house or object shall have flagmen precede and follow the house or object being moved by a

distance of at least three hundred feet and at night shall cause red lights to be displayed on every side of such house or object while it is moving or standing on a public road or street. If such movement is to be through the city limits of any town or municipality, the mover shall file a copy of his permit therefor with the governing body of the town or municipality through which the move is contemplated, and the sheriff shall not issue any moving permit under the provisions of this act until such move has first been submitted and approved by such governing body or its designated representative.

Section 5. (a) Nothing in this act shall be deemed to authorize the movement of any such house or object upon or along any state road, but such movement may be made, where necessary, over the shortest distance across a state road, provided flagmen with visible flags or red lights are stationed to warn oncoming traffic at a distance of at least five hundred feet on each side of the place where such crossing is being made, and provided that movement is completed as soon as is reasonably possible.

(b) Where such movement is to be made so as to cross a state or federal highway, regardless of whether such county road shall be designated by number or otherwise, then such movement shall be so made as to leave the crossed state or federal highway at the next or nearest exit in the direction of travel.

Section 6. In all counties to which this act applies, the movement of houses and objects in accordance with the provisions of this act and within the terms of the permit provided herein shall not constitute a violation of the provisions of Title 36, Code of Alabama 1940, as amended, relating to the movement of certain oversized vehicles over public highways nor of Title 23 relating to the obstruction of public roads, provided the mover shall have the required permit in his possession.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Adams	Gilmore	Lindsey	Skidmore
Albea	Givhan	Morrow	Stone
Childs	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Cooper	Hawkins	Oden	Vacca
Dominick	Jackson		

—25

Nays:

—0

And said Bill, H. B. 99, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Adams	Gilmore	Lindsey	Skidmore	
Albea	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 128. Relating to Coffee County, further regulating the compensation of the members of the county board of education.
was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 128, to-wit:

AMENDMENT TO H. B. 128

Strike out all of the bill following the enacting clause and insert in lieu thereof the following:

Section 1. The members of the board of education of Coffee County shall each be entitled to compensation and hotel and travel expenses as prescribed by law, and in addition each member shall be entitled to an allowance for expenses in the amount of fifteen dollars (\$15) for each day the board is in session, such allowances to be payable from the public school funds of the county.

Section 2. This Act is cumulative and shall take effect immediately upon its enactment.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays:

—0

And said Bill, H. B. 128, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 142. Relating to counties having populations of not less than 47,000 nor more than 49,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Nabors	
Adams	Folsom	Leonard	Pelham	
Albea	Gilmore	Lindsey	Pierce	
Bailes	Givhan	Lolley	Radney	
Carr	Goodwyn	McCarley	Skidmore	
Clark	Harris	McDermott	Stone	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

S. 188. Relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment.

was taken up.

Mr. Turner offered the following amendment to the Bill, S. B. 188, to-wit:

AMENDMENT TO S. B. 188

Amend S. B. 188 by inserting in Section 1 thereof after the word "county" in the fifth line of said Section 1 the following: "along with the county attorney"

Amend S. B. 188 further by striking the period from the end of Section 1 and inserting in lieu thereof a comma and adding the following:

and shall be charged with the further duty of meeting with the Court of County Commissioners of Crenshaw County, Alabama, at each meeting thereof, and consulting with and advising said Court in connection with all laws and regulations dealing with the construction and maintenance of public roads in Crenshaw County, Alabama.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Turner	
Childs	Leonard			—25

Nays:

—0

And said Bill, S. B. 188, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Turner	
Childs	Leonard			—25

Nays: —0

The Bill:

S. 172. To make an additional appropriation for salaries of certain county health department employees who are subject to the merit system for county health services of the Alabama State Department of Health.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Oden	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Gilmore	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Hawkins	Nabors	Turner	
Clark	Jackson	O'Bannon	Vacca	—31

Nays: —0

The Bill:

S. 147. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors	
Adams	Engel	Jackson	O'Bannon	
Albea	Folsom	Leonard	Pelham	
Bailes	Giles	Lindsey	Pierce	
Carr	Gilmore	Lolley	Radney	
Childs	Givhan	McCarley	Skidmore	
Clark	Goodwyn	McDermott	Torbert	
Cooper	Harris	Morrow	Vacca	—31

Nays: —0

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 24. To amend Act No. 132, H. 186, Regular Session 1945, an act to regulate the making and applying of rates for fire, inland marine, and all other kinds of insurance which fire insurance companies are authorized to write in this State (General Acts 1945, p. 133).

as amended.

Mr. McCarley offered the following amendment to the Bill, S. B. 24, as amended, to-wit:

AMENDMENT TO S. B. 24

In Section 1, second paragraph, insert the following words and figures at the end thereof: No insurance company coming within the purview of this Act shall cancel any policy of insurance issued by it except upon good cause shown and notice given to the insured at least 15 days before any such cancellation.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Albea	Engel	Leonard	Oden	
Bailes	Giles	Lindsey	Pierce	
Branyon	Gilmore	Lolley	Skidmore	
Carr	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	Nabors		—30

Nays:

—0

Mr. Harris moved that further consideration of the Bill, S. B. 24, as amended, be postponed until the Twentieth Legislative Day. On motion of Mr. Givhan, the motion to postpone was laid on the table.

Yeas 22; Nays 11.

Yeas:

Messrs.:	Giles	Lolley	Skidmore	
Adams	Givhan	McDermott	Stone	
Branyon	Goodwyn	Morrow	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Engel	Lindsey	Pierce		—22

Nays:

Messrs.:	Carr	Folsom	Nabors	
Albea	Childs	Harris	Pelham	
Bailes	Dominick	McCarley	Radney	
				—11

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Personnel Board.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

JUNE 21, 1967

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the Honorable Jess Lanier, Bessemer, Alabama, as a member of the State Personnel Board, for the term expiring March 2, 1973.

Respectfully,
LURLEEN B. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. B. 24

The Senate proceeded to further consideration of the Bill, S. B. 24, as amended.

ADJOURNMENT

At 4:45 P. M., on motion of Mr. McCarley, pending further consideration of the Bill, S. B. 24, the Senate adjourned until Friday, June 23, 1967, at 11 o'clock A. M.

Yeas 25; Nays 5.

Yeas:

Messrs.:	Folsom	McCarley	Pierce	
Bailes	Giles	McDermott	Radney	
Carr	Gilmore	Morrow	Skidmore	
Childs	Harris	O'Bannon	Stone	
Cooper	Hawkins	Oden	Torbert	
Dominick	Jackson	Pelham	Vacca	
Engel	Lindsey			—25

Nays:

Messrs.:	Goodwyn	Nabors	Turner	
Clark	Leonard			—5

THIRTEENTH LEGISLATIVE DAY

FRIDAY, JUNE 23, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Drew J. Gun-
nells, Jr., Pastor, Eastern Hills Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Hawkins	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Stone
Carr	Givhan	McCarley	Torbert
Clark	Goodwyn	McDermott	Turner
Cooper	Harris	O'Bannon	Vacca

—27

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twelfth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twelfth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Childs, Morrow, Adams, Engel, Nabors, Jackson, Skidmore and Radney for today.

SELECT COMMITTEE APPOINTED

Under the provisions of S. J. R. 30, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Bailes and Branyon.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Cooper:

S. 307. To revise and amend Act No. 65 of the Second Special Session of the Legislature, 1965, approved September 30, 1965.

Committee on Finance and Taxation.

By Messrs. Clark and Lolley:

S. 308. To authorize the director of the bureau of publicity and information to enter into certain contracts with and spend funds in support of the southern travel directors council.

Committee on Finance and Taxation.

By Messrs. Clark, Lolley and Branyon:

S. 309. To amend further Sections 660 and 663, Chapter 6, Title 2, Code of Alabama 1940, as amended, relating to the state soil conservation committee so as to change the name of the committee, the location of its office, and to provide further for the application of the provisions of this chapter.

Committee on Finance and Taxation.

By Messrs. McDermott, Vacca, Bailes, Clark, Harris, Giles and Folsom:

S. 310. Proposing an amendment to Article XII, Section 225, as amended, of the Constitution of Alabama, in relation to indebtedness of incorporated municipalities.

Committee on Municipalities and
Municipal Organizations.

The above Bill was read a first time at length as required by the Constitution.

By Mr. McDermott:

S. 311. To authorize the Board of Commissioners of any incorporated municipality organized and operating under the provisions of Chapter 4, Article 1, Title 37, Code of Alabama 1940, as amended, which owns and operates a light and power system, a municipal water system, a municipal sewer system or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to authorize a municipal board or a municipal public corporation, operating in a municipality organized under the provisions of Chapter 4, Article 1, Title 37, Code of Alabama 1940, which owns or operates a municipal light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to fix his duties while so acting as superintendent, to pay additional compensation for his service as superintendent of such system or systems, and to validate the employment of and compensation paid to any Mayor or President of the Board of Commissioners for services heretofore rendered as superintendent of any such system or systems.

Committee on Municipalities and
Municipal Organizations.

By Mr. Hawkins:

S. 312. To amend Act No. 430, H. 327, Special Session 1966, which provides for the control of lysergic acid diethylamide (LSD-25) and other drug compounds (Acts Special Session 1966, p. 575).

Committee on Public Health.

By Mr. Hawkins:

S. 313. To amend Act No. 93, H. 102, Second Special Session 1963, an act providing for and creating the Alabama Trade School and Junior College Authority.

Committee on Education.

By Mr. Giles:

S. 314. To provide further for the compensation of the director of the state planning and industrial development board and to repeal conflicting laws.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Lolley, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lybrand:

H. 14. To amend further the title and Sections 1, 2, 3 and 4 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, Page 549) as amended by Act 124, H. 223, Second Special Session 1965; (Acts of Alabama 1965, Page 172), and to amend Sections 6 and 7 of said Act entitled, "An act concerning gifts of securities, money and life insurance to minors and to make uniform the law with reference thereto", so as to provide for gifts of annuity contracts to minors under such act, to define "financial institution", to provide for the designation and appointment of a successor custodian, and for other purposes.

By Mr. Lybrand:

H. 15. Granting to minors not less than 15 years of age at nearest birthday the capacity to contract for annuities, endowments, life insurance and accident and sickness insurance on his own life or body or on the life or body of any person in whom such minor has an insurable interest; and providing that minors not less than 18 years of age at nearest birthday may give valid acquittance, discharge and release for payment or payments under life insurance endowment and annuity contracts and accident and sickness insurance contracts not exceeding \$3,000 in any one year made by any one company.

By Mr. Lybrand:

H. 16. To amend Code of Alabama 1940, Title 28 Sections 68 and 70 relating to guarantee fund and deposits of insurance companies.

By Mr. Lybrand:

H. 18. To provide for the assignment of life insurance policies under certain circumstances even to those having no insurable interest.

By Mr. Lybrand:

H. 19. TO AMEND Section 1 of Act 347 of the General Acts of Alabama 1947, now codified as Title 28, Section 246, Code of Alabama (1940) to provide that a mutual aid association, benefit or industrial company, shall have a minimum paid-in capital of fifty thousand dollars plus an additional surplus of seventy-five thousand dollars, and for other purposes.

By Mr. Lybrand:

H. 20. To amend Section 7 of Title 28 of the Code of Alabama (1940) to provide that the validity of a life insurance policy shall not be contested after it has been in force during the lifetime of the insured for a period of two years from its date of issue with certain exceptions; to provide a similar period after which the validity of a re-instated life insurance policy or contract may not be contested for fraud or misrepresentations; to define the scope of such incontestable provision; and to provide that no plea of misrepresentation or fraud in the application for a life insurance policy shall be filed in any court unless accompanied by a payment into court of all premiums paid on the policy being contested.

By Mr. Lolley:

S. 134. To amend Section 3 of Act No. 712, H. 48, Regular Session 1951 (Acts 1951, p. 1250), an Act to create a State Bureau of Publicity and Information so as to provide further for the composition of the advisory board.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pearson (with notice and proof):

H. 141. Relating to Autauga County; authorizing the county board of education to furnish certain equipment, supplies, and services heretofore furnished by the county governing body and relieving the county governing body of the responsibility of furnishing such equipment, supplies, and services.

By Mr. Stubbs:

H. 287. To apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices.

By Mr. O'Bannon (with notice and proof):

S. 304. To amend Act No. 107, H. 455, Regular Session 1965, an act changing the method of compensating certain officers of Lauderdale County and placing such officers on a salary basis.

Mr. Vacca, Chairman of the Standing Committee on Printing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins, Nabors, Bailes, McDermott, Gilmore, Giles, Childs, Dominick, Albea, Leonard, Vacca, Carr, Radney and Folsom:

S. 290. To amend Code of Alabama 1940, Title 55, Section 110, which requires that public printing and binding shall be done under contracts.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Carr, further consideration of the Bill, H. B. 181, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 250. To amend Sections 2(a) and 2(b) of Act number 353, H. 773, Regular Session, 1953 (Acts, 1953, p. 421), an Act relating to Fayette County: To impose extra new and additional duties upon the members of the county governing body, and provide for their compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lindsey	Pelham	
Albea	Gilmore	Lolley	Pierce	
Branyon	Givhan	McCarley	Stone	
Clark	Goodwyn	McDermott	Torbert	
Cooper	Harris	O'Bannon	Turner	
Dominick	Hawkins	Oden	Vacca	
Folsom	Leonard			—25

Nays:

—0

The Bill:

S. 282. To provide for an expense allowance for each of the circuit judges of all judicial circuits in this State composed of five (5) counties, with not less than three (3) circuit judges; and providing for the payment of such expense allowance out of the general funds of the counties composing such judicial circuits.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Albea	Folsom	Leonard	Oden	
Bailes	Giles	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Pierce	
Carr	Givhan	McCarley	Torbert	
Clark	Goodwyn	McDermott	Vacca	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 195. To apply only in counties having populations of not less than 11,000 nor more than 13,000 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden	
Albea	Folsom	Leonard	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 196. To amend Act No. 362, H. B. 721, Regular Session 1963, an act relating to counties having a population of not less than 11,000 nor more than 13,000 inhabitants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Folsom	Leonard	Pierce	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McCarley	Torbert	
Carr	Givhan	McDermott	Turner	
Clark	Goodwyn	Oden	Vacca	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 219. To provide that the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 70,000 nor more than 96,000, according to the last or any subsequent federal decennial census, shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden	
Albea	Giles	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Pierce	
Carr	Givhan	McCarley	Stone	
Clark	Goodwyn	McDermott	Torbert	
Cooper	Harris	O'Bannon	Turner	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

H. 260. To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Folsom	Leonard	Pierce	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Carr	Givhan	O'Bannon	Turner	
Clark	Goodwyn	Oden	Vacca	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 269. Relating to Marion County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Stone	
Branyon	Givhan	McCarley	Torbert	
Carr	Goodwyn	McDermott	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

H. 270. Relating to Winston County; authorizing the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and providing for a referendum thereon.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Stone	
Branyon	Givhan	McCarley	Torbert	
Carr	Goodwyn	McDermott	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

S. 132. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves,

stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden	
Albea	Giles	Lindsey	Pelham	
Bailes	Gilmore	Lolley	Pierce	
Branyon	Givhan	McCarley	Stone	
Carr	Goodwyn	McDermott	Torbert	
Clark	Harris	O'Bannon	Turner	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 28. To provide distinctive license plates free of charge for Alabama members of the United States Senate and House of Representatives; authorizing the commissioner of revenue to provide rules and regulations for the making, issuance and design of such plates, subject to certain specifications.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Albea	Gilmore	McCarley	Stone	
Bailes	Goodwyn	McDermott	Torbert	
Branyon	Harris	Oden	Turner	
Carr	Hawkins	Pelham	Vacca	
Cooper	Leonard			—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 30. Relative to escorting Honorable Orville Rush and former Governor George C. Wallace to House Chamber for Joint Session.

And the Speaker of the House named as a Committee on the part of the House Messrs. House and Headley.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE GOVERNOR'S OFFICE

To the Senate of Alabama
State Capitol Building
Montgomery, Alabama

Gentlemen:

On Wednesday, June 21, 1967, I transmitted to you a message from the Governor of Alabama wherein the Governor advised you of the appointment, subject to your confirmation, of the Honorable Jess Lanier to membership on the State Personnel Board for the term expiring on March 2, 1973.

It has now been belatedly brought to the Governor's attention by her staff that the otherwise highly qualified Mayor Lanier, by virtue of his office as Mayor of the City of Bessemer, is not eligible for appointment to the Personnel Board because of the provisions of Title 55, Section 296, Code of Alabama, which reads in part as follows:

" . . . and shall not, when appointed, nor for three years then last past before the date of his appointment, have held elective public or party office, . . . "

Therefore, it is the request of the Governor that her letter to you of June 21, 1967, be withdrawn.

It is my responsibility, once a decision relative to an appointment has been made by the Governor, to see that the appropriate legal qualifications are met. This was not done. Therefore, I apologize to the Senate of Alabama for any inconvenience.

Of course, the Senate should realize that only three of the four members of the Governor's staff are attorneys. The Governor's Executive Secretary, the Governor's Legal Adviser and the Governor's Recording Secretary are lawyers and perhaps this explains our inability to look up the law.

In the event, for any reason, this is my last communication to the Senate, I want you to know that I have enjoyed communicating with you and, if you ever need a lawyer

Sincerely yours,

CECIL C. JACKSON, JR.,
Executive Secretary.

June 23, 1967

P. S.

We want you to know that if you have any problems other than those of a legal nature, the attorneys in the Governor's Office will be pleased to help you.

GOVERNOR'S APPOINTMENT WITHDRAWN

On motion of Mr. Cooper, in accordance with the foregoing request, the Message from Her Excellency, the Governor, containing the appointment of the Honorable Jess Lanier to membership on the State Personnel Board was recalled from the Standing Committee on Rules; said appointment was then ordered withdrawn from the Senate and thereupon was returned to the Governor.

BILLS ON THIRD READING RESUMED

The Bill:

S. 148. To amend Section 1 of Act No. 430, H. 823, Regular Session 1965, providing for a program for education in the field of library science and authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants; to facilitate the awarding of such grants.

was taken up.

The Standing Committee on Education reported the following amendment to the Bill, S. B. 148, to-wit:

AMENDMENT TO S. B. 148

Amend S. B. 148 as follows: In "Section 1" thereof, delete in the twelfth line, beginning with the word "United" the remainder of the sentence and insert in lieu thereof the following: "the Library Services and Construction Act as amended by Public Law 89-511, approved July 19, 1966."

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Pierce	
Albea	Giles	Leonard	Stone	
Bailes	Gilmore	Lolley	Torbert	
Branyon	Goodwyn	McCarley	Vacca	
Clark	Harris	McDermott		—18

Nays:

—0

And said Bill, S. B. 148, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Stone	
Branyon	Goodwyn	McDermott	Torbert	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—21

Nays:

—0

The Bill:

S. 82. To amend Act No. 563, Acts of 1965, Regular Session, page 1049, "To provide for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Pelham	
Albea	Dominick	Leonard	Pierce	
Bailes	Folsom	Lolley	Stone	
Branyon	Gilmore	McCarley	Torbert	
Carr	Goodwyn	McDermott	Vacca	
Clark	Harris	O'Bannon		—22

Nays: —0

The Bill:

S. 129. To revise and amend Section 58 (34) of Title 36 of the Code of Alabama (1940), relating to the safety glazing material in motor vehicles.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	O'Bannon	
Albea	Dominick	Harris	Pelham	
Bailes	Folsom	Hawkins	Pierce	
Branyon	Giles	McCarley	Stone	
Carr	Gilmore	McDermott	Vacca	
Clark				—20

Nays: —0

RESOLUTION

Mr. Torbert offered the following Senate Joint Resolution, to-wit:

S. J. R. 32. WHEREAS the recent death of Mr. William James Samford, lawyer, businessman and churchman of Opelika was a distinct loss to the State of Alabama, and particularly to his city and county to which he had given a lifetime of dedicated service and devotion; and

WHEREAS Mr. Samford was an illustrious son of an illustrious family, he being the son of the late Thomas Drake Samford and Louise Westcott Samford and the grandson of an Alabama governor whose name he bore. He was a prominent member of the Lee County, Alabama State and American Bar Associations and the numerous corporations, educational institutions and religious organizations on whose boards of directors he served, attest to the high regard in which he was held, and for which his judgment and wise counsel were sought by government, church, education and business, as well as by his community and friends. Mr. Samford was a man of rare and many talents who was most generous with his time, ability and resources. His concern for his fellow man led him through many walks of life and brought him countless loyal and abiding friendships; and

WHEREAS Mr. Samford is survived by his wife, Mrs. Evelyn Barnett Samford; a son, William James Samford, Jr.; and a daughter, Miss Lucinda Moore Samford, all of Opelika; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the passing of Mr. William James Samford, and extend our heartfelt sympathy to his family, to whom copies of this resolution shall be sent.

On motion of Mr. Torbert, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 214. To create and establish an inferior court for Washington County in lieu of the court of general sessions created by Act No. 137, H. B. 435, Regular Session 1963; abolishing the court of general sessions, and making provisions for the officers and jurisdiction of the inferior court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Stone
Branyon	Gilmore	McCarley	Torbert
Carr	Givhan	O'Bannon	Turner
Clark	Goodwyn	Oden	Vacca
Cooper	Harris		

--25

Nays:

—0

The Bill:

H. 215. To provide for the compensation of jurors in Washington County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	McCarley	Stone
Branyon	Gilmore	McDermott	Torbert
Carr	Givhan	O'Bannon	Turner
Clark	Goodwyn	Oden	Vacca
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 288. To fix the compensation of the official court reporter in the seventeenth judicial circuit and provide for the payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Carr	Givhan	O'Bannon	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 289. To apply only in Sumter County; regulating further the compensation of the chief deputy of the sheriff of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	McCarley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Carr	Givhan	O'Bannon	Turner	
Clark	Goodwyn	Oden	Vacca	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 290. Relating to Sumter County; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Stone	
Branyon	Givhan	McDermott	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Leonard			—25

Nays: —0

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

- S. B. 22 Delivered to the Governor June 23, 1967, at 1:45 P. M.
S. B. 47 Delivered to the Governor June 23, 1967, at 1:45 P. M.
S. B. 62 Delivered to the Governor June 23, 1967, at 1:45 P. M.
S. B. 63 Delivered to the Governor June 23, 1967, at 1:45 P. M.
S. B. 76 Delivered to the Governor June 23, 1967, at 1:45 P. M.
S. B. 78 Delivered to the Governor June 23, 1967, at 1:45 P. M.
S. B. 79 Delivered to the Governor June 23, 1967, at 1:45 P. M.
S. J. R. 19 Delivered to the Governor June 23, 1967, at 1:45 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

JOINT SESSION

The hour of 12 o'clock Noon having arrived, Mr. Cooper moved that, in accordance with Joint Resolution heretofore adopted, the Senate repair to the Hall of the House of Representatives for the purpose of hearing an address by the Honorable Orville F. Rush, Imperial Potentate of the Ancient Arabic Order of Nobles of the Mystic Shrine of North America. Mr. Cooper further moved that at the completion of the Joint Session, the Senate adjourn until Tuesday, June 27, 1967, at 2 o'clock P. M., which motion was adopted.

The Joint Session was called to order by the President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, Honorable Orville F. Rush was escorted to the Chair and delivered his address to the Legislature of Alabama.

ADJOURNMENT

At 12:35 P. M., the purpose of the Joint Session having been accomplished, and in accordance with motion heretofore adopted, the Senate adjourned until Tuesday, June 27, 1967, at 2 o'clock P. M.

FOURTEENTH LEGISLATIVE DAY

TUESDAY, JUNE 27, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend E. B. Warren, Pastor, Orrville Baptist Church, Orrville, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Thirteenth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Torbert for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Folsom, Childs, Skidmore, McCarley and Harris:

S. 315. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

Committee on Judiciary.

By Messrs. Folsom, Childs, Skidmore, McCarley and Harris:

S. 316. To preserve law and order by proscribing, prohibiting and penalizing incitement to crime or to riotous conduct.

Committee on Judiciary.

By Mr. Carr:

S. 317. To amend Section 4(g) and Section 4(j) of Act No. 574, Acts of 1965, approved August 26, 1965, entitled "An Act to provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended," by providing for a hearing deputy to conduct certain public hearings and by providing that by a two-thirds vote of the members of the Water Improvement Commission the time for submitting plans and executing plans may be accelerated.

Committee on Public Health.

By Mr. Carr:

S. 318. To authorize and direct the Board of Nursing created under Act No. 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615) to conduct a survey and study of nursing and nursing education and needs, establishing procedures for such survey and study and making appropriations therefor.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 319. To amend further Act No. 283, H. 561, Regular Session 1955, which provided for the establishment of a solicitor's fund for the solicitor of the sixth judicial circuit (Acts 1955, v. 1, p. 649).

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 320. To amend Act No. 720, H. 231, approved September 17, 1953 (Acts 1953, v. 2, p. 974), an act prohibiting certain public employees from participating in labor unions or labor organizations, so as to make further provisions respecting the employees of Bryce Hospital, Searcy Hospital, and Partlow State School.

Committee on Immigration, Industrial
Resources and Labor.

By Messrs. Skidmore and Lindsey:

S. 321. To amend Code of Alabama 1940, Title 7, Section 165, relating to court costs in actions for declaratory judgments, so as to provide further for the assessment of attorneys' fees in certain cases involving policies of casualty insurance.

Committee on Judiciary.

By Mr. Dominick:

S. 322. Making further provisions respecting the crime of abortion, amending Code of Alabama 1940, Title 14, Section 9, so as to provide for justified medical termination of pregnancies and to fix the punishment for criminal abortion and pretended criminal abortion.

Committee on Public Health.

By Mr. Givhan:

S. 323. To require all persons in charge of laboratories that perform tests for syphilis to make a report of reactive or positive tests to the State Board of Health; to authorize the Board of Health to make

pertinent rules and regulations; to declare such reports confidential, and to provide punishment for violating this act or rules and regulations; to repeal conflicting laws: and to provide for the effective date hereof.

Committee on Public Health.

By Mr. Givhan:

S. 324. To declare the public policy of the State of Alabama in regard to encouraging the education of all the school children of the state; to create as a body politic and incorporate the Alabama Financial Assistance Commission; to provide for the membership of said Commission; to define the duties, powers and functions of said Commission; to authorize said Commission to make and pay grants of financial assistance from the funds of said Commission for the education of the school children of the state in private non-sectarian elementary and secondary schools in the state; to prescribe standards of eligibility for such financial assistance; to provide a procedure for making application for such financial assistance and for the approval or disapproval of same; to provide for judicial review of the actions of the Commission in the event of disapproval of an application for such financial assistance; to provide that any person who shall knowingly swear or affirm falsely to any matter or thing required by the terms of this Act shall be guilty of false swearing and to provide penalties therefor; to provide that any person accepting any payment authorized by this Act with knowledge that the child for whose benefit the payment is received was not actually a bona fide student at a private non-sectarian elementary or secondary school during the period for which payment is received, shall be guilty of a misdemeanor and prescribing penalties therefor; to create and establish in the state treasury the Alabama Financial Assistance Fund; and to repeal all laws or parts of laws in conflict with this Act.

Committee on Finance and Taxation.

By Messrs. Givhan and Adams:

S. 325. To amend Section 8 of Act No. 861, S. 14, Regular Session of the Legislature of 1951 (Acts of 1951, Vol. 2, p. 1496), approved September 12, 1951, which relates to the registration of cattle brands and the duty of livestock markets, dealers and slaughterers relative to keeping records of cattle brands.

Committee on Agriculture.

By Messrs. Givhan, Adams, Leonard and Branyon:

S. 326. To amend Act No. 743, H. 150, Regular Session 1957, which provides for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes (Acts 1957, v. 2, p. 1174).

Committee on Finance and Taxation.

By Mr. Cooper:

S. 327. Making further provisions respecting the enforcement of laws relating to narcotic drugs and poisons, amending Code of Alabama 1940, Title 22, Sections 236, 237, 238, and 252.

Committee on Public Health.

By Mr. Cooper:

S. 328. To amend Act No. 586, H. 346, Regular Session 1957, an act further regulating the traffic in narcotic drugs (Acts, Regular Session 1957, v. 2, p. 823).

Committee on Public Health.

By Mr. Goodwyn:

S. 329. To amend Sections 13 and 15 of Act No. 221, H. 40, approved April 20, 1965, Special Session 1965, which relates to public school administration; providing further for selection, approval, adoption, purchase, distribution and use of tax-paid textbooks; repealing conflicting laws.

Committee on Judiciary.

By Mr. Goodwyn:

S. 330. To amend Act No. 375, H. 1006, Regular Session 1955, an act providing for the taking of depositions of witnesses or parties upon oral examination for discovery or for use as evidence (Acts 1955, v. 2, p. 901), so as to provide for the use of the subpoena duces tecum.

Committee on Judiciary.

By Messrs. Jackson, Goodwyn, Stone and Radney:

S. 331. To revise and amend Section 69 of Title 36, 1940 Code of Alabama, as amended.

Committee on Judiciary.

By Messrs. Folsom, Givhan and Adams:

S. 332. Relating to taxation: To exempt drugs and medications, vitamins, minerals and other nutrients used in the production of livestock and poultry from the State Sales and Use Tax.

Committee on Finance and Taxation.

By Mr. Folsom:

S. 333. Relating to Cullman County; authorizing any bank situated in Cullman to open, establish, operate and maintain a branch bank, branch office, or other place of business at Cullman in said county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given that at the present regular session of Legislature of Alabama a bill in substance as follows will be introduced and an effort made to have same enacted into law:

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County; authorizing any bank situated in Cullman to open, establish, operate and maintain a branch bank, branch office, or other place of business at Cullman in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and by-laws, and approved by the appropriate authority having jurisdiction of its banking operations, any bank situated in Cullman shall be authorized to open, establish, operate and maintain at Cullman in said county, a branch

bank, branch office, or other place of business for the receipt of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me Willy Abt a Notary Public in and for said County and State, personally appeared Henry Frank Arnold, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: May 11, 18, 25, June 1, 1967.

HENRY F. ARNOLD,
Publisher.

Sworn to and subscribed before me this, the 9th day of June, 1967.

WILLY ABT,
Notary Public.

By Messrs. Skidmore, Goodwyn, Childs, Albea, Leonard, Branyon, Bailes, Gilmore, Cooper, Folsom, Nabors, Hawkins, Dominick, Vacca, Pelham, Stone, Pierce, Lolley, McDermott, Morrow, Harris and Carr:

S. 334. To provide for establishment and operation of an Alabama Sports Hall of Fame Board, and to prescribe its powers and duties.

Committee on Public Buildings and Grounds.

By Mr. Skidmore:

S. 335. To regulate the issuance of restraining orders and injunctions in labor disputes.

Committee on Judiciary.

By Mr. Carr:

S. 336. To prohibit the discharge of litter and sewage and certain other materials into the waters of this State; to prohibit discharge of untreated sewage from marine toilets; to require treatment of sewage discharged by marine toilets; to authorize the State Board of Health to adopt rules and regulations for discharge of sewage and litter from watercraft, including requirements for permits to restrict manufacturers of marine toilets and devices to comply with regulations; to authorize revocation of certification of watercraft after certain convictions; to require litter or trash receptacles for marinas; to provide for enforcement by the Board of Health and Department of Conservation; to prescribe the method of prosecution and penalties for violation of this Act and rules and regulations; to require fines to be paid one-half into the Water Safety Fund of the Department of Conservation and one-half into the General Fund; and to appropriate \$50,000 per annum to the State Board of Health for the purposes of this Act and to provide for an effective date.

Committee on Forestry and Conservation.

By Mr. Carr:

S. 337. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage treatment and disposal facility within the State, but excluding certain plumbing within municipalities; to authorize the State Board of Health to adopt rules and regulations for administration of this Act; to authorize the State Board of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

Committee on Public Health.

By Mr. Cooper:

S. 338. Relating to public health; making further provisions respecting the regulation and control of the manufacture, distribution, delivery and possession of depressant and stimulant drugs; providing for enforcement of the Act and prescribing penalties.

Committee on Public Health.

By Messrs. Skidmore, Albea, Oden and Goodwyn:

S. 339. To make an appropriation from the state treasury to the use of the department of mental health for capital outlays.

Committee on Finance and Taxation.

By Messrs. Bailes, Givhan, Dominick, Hawkins, Morrow, Childs, Vacca, Gilmore, Pierce and Skidmore:

S. 340. To make an appropriation from the state treasury to the use of the State Fair Authority to aid in construction of a multi-purpose poultry exhibit building.

Committee on Finance and Taxation.

By Mr. McDermott:

S. 341. To amend further the Code of Alabama 1940, Title 37, Section 105, as amended, which relates to the compensation of Commissioners.

Committee on Municipalities and
Municipal Organizations.

By Mr. Gilmore:

S. 342. To provide for licensing of limited-radius "city mule" pickup and delivery truck tractors, by insertion of the following beneath the for-hire truck fee schedule in the Act:

Committee on Finance and Taxation.

By Messrs. Gilmore and Bailes:

S. 343. To provide for a statewide reappraisal and tax revaluation program of certain property in the State of Alabama, to provide for the financing and the use thereof; and to define the functions, powers and duties of the State of Alabama, Department of Revenue and its relationship to county tax assessors and Boards of Equalization under this act; and to authorize the Department of Revenue to make and promulgate rules and regulations, and to provide penalties for violations of the act.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 110. To fix the compensation of certain county officers in all counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 8. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing expense allowances for the tax assessor, tax collector, and circuit court clerk, and repealing conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 99. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Dill, Watkins, Crane, Cook (Jefferson), Adwell, Bowers, Weeks, House, Yeilding, Waggoner, Holman, Kilgore, Money, Jackson (T), Gloor, Sessions, Cherner, Ellis and Gafford:

H. 140. To apply only in counties having populations of not less than 600,000 according to the most recent federal decennial census, providing for an associate judge of probate for each of such counties, prescribing the powers, authority, duties, and compensation of such judge of probate and providing for his tenure, election or appointment; and to further regulate the office of judge of probate and Probate Court in such counties.

Also:

By Mr. Headley:

H. 224. Relating to the office of the sheriff of Chilton County; providing further for the appointment, number, term, duties and compensation of the deputies of the sheriff, and repealing conflicting laws, including Act No. 673, H. 1026, Regular Session 1951 (Acts 1951, p. 1166); Act No. 501, H. 936, Regular Session 1953 (Acts 1953, p. 633); and Act No. 582, H. 963, Regular Session 1961 (Acts 1961, p. 688) giving the Act retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the office of the sheriff of Chilton County; providing further for the appointment, number, term, duties and compensation of the deputies of the sheriff, and repealing conflicting laws, including Act No. 673, H. 1026, Regular Session 1951 (Acts 1951, p. 1166); Act No. 501, H. 936, Regular Session 1953 (Acts 1953, p. 633); and Act No. 582, H. 963, Regular Session 1961 (Acts 1961, p. 688).

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Chilton County may appoint a total of six deputies, including the chief deputy sheriff, whose compensation shall be paid by the county. All such deputies shall be appointed by the sheriff shall serve at the pleasure of the sheriff, and shall perform such duties as the sheriff may prescribe. Before entering upon their duties such deputies shall make bond payable to the sheriff in the sum of \$2,000, conditioned as required by Section 35, Title 41, Code of Alabama 1940.

Section 2. The salary of the chief deputy sheriff shall be fixed by the board of revenue and control at an amount not less than \$5,400 per annum and not more than \$6,000 per annum, and the salaries of all other deputies shall be fixed by the board of revenue and control at an amount not less than \$4,800 per annum, nor more than \$5,400 per annum for each other deputy. The board of revenue and control may, in its discretion, provide the compensation of the chief deputy and any other deputy to be paid, in whole or in part, from the county public highway and traffic fund.

Section 3. The provisions of this Act are severable. If any part of the Acts declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws and parts of laws in conflict with this Act are hereby repealed including Act. No. 673, H. 1026, Regular Session 1951 (Acts 1951, p. 1166); Act No. 501, H. 936, Regular Session 1953 (Acts 1953, p. 633); and Act No. 582, H. 963, Regular Session 1961 (Acts 1961, p. 688).

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner & Editor of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-11-67, 5-18-67, 5-25-67, and 6-1-67, all in the year 1967.

BOB TUCKER.

Sworn to and subscribed before me June 6, 1967.

PLUMA B. MUNCY,
Notary Public.

Also:

By Mr. Collins (W):

H. 81. To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Mobile County shall be compensated on a salary basis. He shall be paid in the same manner and at the same time as salaries are paid to employees of that office.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall take effect at the commencement of the term of office of the tax assessor of Mobile County which begins next after the passage and approval of this Act.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Mar 31, Apr 7, 14, 21, 1967.

E. E. KOCH.

Sworn to and subscribed before me this 28 day of April, 1967.

W. F. EGAN,
Notary Public.

Also:

By Mr. Hogan:

H. 171. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955, p. 356) entitled "An Act To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955, p. 356) entitled "An Act To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama, 1955, p. 356), as amended, entitled "An Act To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," is amended further to read as follows:

"Section 1. The tax collector of Mobile County shall be compensated on a salary basis. He shall be paid a salary of fifteen thousand dollars (\$15,000) per annum. Such salary shall be paid in twelve equal monthly installments in the manner prescribed by Act No. 241, H. 401, approved August 15, 1935."

Section 2. The provisions of Act No. 241, H. 401, Regular Session 1935, p. 139) and all other laws in conflict herewith are hereby repealed.

Section 3. This Act shall take effect at the commencement of the term of office of the tax collector of Mobile County which begins next after the passage and approval of this Act.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Luis M. Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Mobile Press Register, Inc., a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on Apr. 13, 20, 27, and May 4, all in the year 1967.

LUIS M. WILLIAMS.

Sworn to and subscribed before me May 4, 1967.

W. F. EGAN,
Notary Public.

Also:

By Messrs. Hogan and Grayson:

H. 73. Relating to counties having populations of not less than 300,000 nor more than 500,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; providing additional compensation for the tax collector for performing such extra, new and additional duties; and repealing conflicting Acts.

Also:

By Messrs. Hogan, Downing, Collins (W) and Perloff:

H. 273. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

Also:

By Messrs. Grayson, Downing and Hogan:

H. 71. To amend Act Number 172, House Bill 187 of the Acts of Alabama first and second Special Sessions of 1964, page 236, approved August 28, 1964, entitled an Act, "Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County."

Also:

By Mr. Collins (W):

H. 78. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges, and to authorize and provide for the payment of a monthly expense allowance for Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges.

Also:

By Messrs. Cameron, Springer, Harris and McElhaney:

H. 83. To provide for transfers from the Juvenile Court to other courts, to set the salary of the Deputy Register of the court, and to provide for expenses for the Judge of said court when attending schools or seminars.

Also:

By Messrs. Drake, McDonald and Starnes:

H. 228. To amend further Section 7 of Act No. 13, H. B. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To amend further Section 7 of Act No. 13, H. B. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 13, H. B. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, as amended, is amended further so as to read as follows:

Section 7. All persons employed by the State Highway Department in the administration of this Act shall be employed subject to the State Merit System Act. The resident engineer in charge of county roads shall be paid an expense allowance of \$100 per month in addition to his salary. Such allowance shall be paid out of the county's gasoline tax funds before the same are turned over to the State Highway Department. At least one person may be employed in Cullman County by the department in the Merit System Classification of Highway Superintendent II. Any resident of Cullman County who is on the register of eligibles established by the personnel director for the position of Highway Superintendent II shall be given preference over every other person whose name is on the register.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 11, May 18, May 25, and June 1, all in the year 1967.

HENRY F. ARNOLD.

Sworn to and subscribed before me June 9th, 1967.

WILLY ABT,
Notary Public.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 275. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 163, H. 168, approved March 30, 1965 (Acts of Alabama, Special Session 1965, v. 1, p. 209), an act creating the Cullman County Intermediate Court, is hereby amended to read as follows:

"Section 7. CRIMINAL PROSECUTION. (a) Prosecutions may be commenced in such court, upon sworn complaint made to the judge of the court in whose jurisdiction said offense is alleged to have been committed, which judge shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed in his jurisdiction and there is reasonable cause to believe that the accused is guilty or upon sworn complaint made as prescribed by Code of Alabama of 1958, Title 13, Section 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

"(b) The Circuit Solicitor of the Thirty-Second Judicial Circuit and the County Solicitor of Cullman County shall have the power and authority upon sworn complaint on probable cause to issue writs of arrest for offenses allegedly committed in the jurisdiction of the Cullman County Intermediate Court. The Circuit Solicitor is to appear at all preliminary hearings on felonies and the County Solicitor to prosecute all other criminal actions before the court.

"(c) All solicitor's fees taxed and collected in all criminal cases in the Cullman County Intermediate Court shall be paid into the general fund of the Cullman County Board of Revenue by the Clerk taxing and collecting same. Also, the clerk of the court shall deduct for the use of the county twenty percent of any sum or sums collected for and remitted to the state."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 12, May 19, May 26, and June 2, all in the year 1967.

ROBERT BRYAN.

Sworn to and subscribed before me June 5, 1967.

COLLEEN BUCHANAN,
Notary Public.

My Commission Expires Nov. 4, 1968.

Also:

By Messrs. Smith (P) and Bolton:

H. 308. Relating to counties of 65,000 to 95,000 population providing further for the distribution of fines from convictions in certain cases of traffic violations.

Also:

By Mr. Young:

H. 333. Relating to Cleburne County; providing for the compensation and allowances of members of the county governing body; repealing conflicting laws and specifically repealing Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), as amended; giving the Act retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County; providing for the compensation and allowances of members of the county governing body; repealing conflicting laws and specifically repealing Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), as amended; giving the Act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the court of county commissioners, board of revenue or other like governing body of Cleburne County in addition to their present salary of \$150 per month shall be entitled to receive an expense allowance of two hundred fifty dollars (\$250) per month. Such salary and allowance shall be the entire compensation of each such officer for the performance of the duties of his office. And the chairman of the county commission, board of revenue or other like governing body of Cleburne County shall not receive any salary for his services as chairman of said governing body but shall receive \$200 each three months as an expense allowance. Such salaries and allowances shall be paid out of any funds in the county treasury available for such payments according to law.

Section 2. All laws or parts of laws in conflict with this Act are repealed, and Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), as amended, is specifically repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. This Act is retroactive to April 1, 1967.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry W. Bell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner-Publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 20th, Apr. 27th, May 4th, and May 11th, all in the year 1967.

HENRY W. BELL.

Sworn to and subscribed before me June 12th, 1967.

FAY B. TUGGLE,
Notary Public.

Also:

By Mr. Young:

H. 334. To amend Act No. 198, H. 526, Regular Session 1959 (Acts of Alabama 1959, p. 733), entitled, "An Act relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury," so as to further provide for the compensation of such secretary.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 198, H. 526, Regular Session 1959 (Acts of Alabama 1959, p. 733), entitled, "An Act relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury," so as to further provide for the compensation of such secretary.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 198, H. 526, Regular Session 1959 (Acts of Alabama 1959, p. 783), entitled, "An Act relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury," is hereby amended to read as follows:

"Section 1. The circuit clerk and register in chancery of Cleburne County may employ a stenographic secretary, whose salary shall be two hundred and fifty dollars (\$250) per month, payable from the general funds of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry W. Bell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner-Publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 20th, Apr. 27th, May 4th, and May 11th, all in the year 1967.

HENRY W. BELL.

Sworn to and subscribed before me June 12, 1967.

FAY B. TUGGLE,
Notary Public.

Also:

By Messrs. Higginbotham, Brassell and Turnham:

H. 342. To repeal Act. No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies for the Sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act. No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies for the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies of the sheriff (Acts 1965, v. 1, p. 278) is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. L. Blackmon, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, 12, 19, and 26, all in the year 1967.

W. L. BLACKMON.

Sworn to and subscribed before me 12 June, 1967.

DOROTHY W. MITCHELL,
Notary Public.

Also:

By Messrs. Higginbotham, Brassell and Turnham:

H. 343. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 394, H. 828, Regular Session 1961, an act providing for deputies and assistants of the sheriff of Lee County, as amended by an act approved August 30, 1963, is further amended to read as follows:

"Section 1. The board of revenue, court of county commissioners or other like governing body of Lee County shall provide the sheriff of the county with one chief deputy and two assistant deputies and in its discretion four additional assistant deputies, two jailers and one deputy clerk. The chief deputy shall receive not less than \$400 nor more than \$495 monthly; each assistant deputy shall receive not less than \$370 or more than \$420 monthly; each jailer shall receive not less than \$270 nor more than \$300 monthly; and the deputy clerk shall receive not less than \$200 nor more than \$225 monthly. The exact amount of compensation to be paid to each of such deputies and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. L. Blackmon, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, 12, 19, and 26, all in the year 1967.

W. L. BLACKMON.

Sworn to and subscribed before me 12 June, 1967.

DOROTHY W. MITCHELL,
Notary Public.

Also:

By Mr. Brassell:

H. 347. Relating to the Twenty-sixth Judicial Circuit, prescribing the powers and duties of any secretary or stenographer appointed by the district attorney of the circuit.

Also:

By Mr. Brassell:

H. 349. To provide for the payment of expenses of the District Attorney for the Twenty-Sixth Judicial Circuit out of the County Treasury of Russell County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the payment of expenses of the District Attorney for the Twenty-Sixth Judicial Circuit out of the County Treasury of Russell County.

Section I: The District Attorney for the Twenty-Sixth Judicial Circuit of Alabama, the sum of Eighteen Hundred Dollars (\$1800.00) per annum shall be paid out of the County Treasury of such circuit in twelve equal installments for expenses incurred in the performance of his duties.

Section II: That all laws and parts of laws in conflict herewith be and they are hereby repealed.

Section III: This bill shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

NOTICE OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority, personally appeared Jane Gullatt, who after being duly sworn, deposes and says: That she is publisher of The Phenix Citizen-Herald, a newspaper published in Phenix City, Russell County, Alabama, in the English language, and said newspaper having been published consecutively for more than twelve months and mailed as second class mail matter in the United States Post Office at Phenix City, Alabama, and that said newspaper has a general circulation in Phenix City, Russell County, Alabama, and that the attached notice of publication pertaining to bill regarding expenses of District Attorney for 26th Judicial Circuit, appeared in The Phenix Citizen on the following dates: July 14, 1966; July 28, 1966; July 21, 1966; August 4, 1966.

JANE GULLATT,
Publisher.

Sworn to and subscribed before me on this the day of June 15, 1967.

BEVERLY T. GAMBLE,
Notary Public.

Also:

By Messrs. Owen (Baldwin) and Brannan:

H. 352. To provide for the relief of Mrs. Edna Godwin of Baldwin County, authorizing the court of county commissioners, board of revenue, or other like governing body of the county to appropriate county funds to compensate her for injuries received as a result of an accident in the courthouse in Bay Minette.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the relief of Mrs. Edna Godwin of Baldwin County, authorizing the court of county commissioners, board of revenue, or other like governing body of the county to appropriate county funds to compensate her for injuries received as a result of an accident in the courthouse in Bay Minette.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Baldwin County may appropriate an

amount not exceeding \$1,000 to compensate Mrs. Edna Godwin for injuries received as a result of an accident occurring in the courthouse in Bay Minette. The claim of Mrs. Godwin is just and equitable claim and a moral obligation of the county. The officer authorized by law to draw his warrant in favor of Mrs. Edna Godwin in the amount appropriated by the county governing body for her compensation as aforesaid.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 4, May 11, May 18, and May 25, all in the year 1967.

J. H. FAULKNER.

Sworn to and subscribed before me 25th of May, 1967.

DOROTHY MARTIN,
Notary Public.

Also:

By Messrs. Berryman (W) and Graham:

H. 337. To provide for payment of expense allowances to members of the board of revenue, court of county commissioners or other like governing body of Franklin County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for payment of expense allowances to members of the board of revenue, court of county commissioner or other like governing body of Franklin County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of revenue, court of county commissioners, or other like governing body of Franklin County shall each be entitled to an expense allowance of fifty dollars (\$50) a month, which sum shall be in addition to the salary provided pursuant to Act

No. 621, H. 1104, Regular Session 1959 (Acts 1959, p. 1525). Such expense allowance shall be paid out of the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, and June 15, all in the year 1967.

CLAUDE E. SPARKS.

Sworn to and subscribed before me June 15th, 1967.

EVELYN B. EVANS,
Notary Public.

Also:

By Mr. Mathews:

H. 226. To make an appropriation for the payment of expenses of the Legislature.

Also:

By Messrs. Dobbs, Jackson (T), Ellis, Kilgore, Holman, Brown, Culver, Headley, Cherner, Neville, Slate, Stubbs, Garrett, Shumate, Berryman (R), Beck, Bank, Fine, Tuck, Williams, Crawford, Berryman (W), Brannan, Haygood, Collins (C), Wood, Brassell, Harper, Merrill, Lybrand, Hill, Hogan, McElhaney, Holladay, Meade, Graham and Young:

H. 106. To redefine the crime of larceny of a dog and to prescribe the punishment for such offense.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 220. To create a board of trustees to manage and control Jacksonville State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Jacksonville State University of all supplies, funds, books, documents, records and other property or effects of such university.

Also:

By Mr. Grayson:

H. 175. To amend Section 5 of Act No. 181 adopted at the regular session of the legislature of Alabama, 1957 Session, on August 7, 1957, providing for the compensation of the members of the County Commission of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of the State of Alabama and application for its passage and enactment will be made to-wit:

Be It Enacted by the Legislature of Alabama:

A BILL TO BE ENTITLED AN ACT

To amend Section 5 of Act No. 181 adopted at the regular session of the legislature of Alabama, 1957 Session, on August 7, 1957, providing for the compensation of the members of the County Commission of Mobile County.

Section 1. Section 5 of Act No. 181, of the Regular Session of the Legislature of 1957, approved August 7, 1957, is amended to read as follows:

"Section 5. The members of the County Commission of Mobile County shall devote their full time to the discharge of their official duties. Effective for the term of office commencing on the first Monday after the second Tuesday in January, 1969, and thereafter, the President of the commission shall receive an annual salary of sixteen thousand dollars (\$16,000 and each associate commissioner shall receive an annual salary of fifteen thousand dollars (\$15,000). The salaries of the president and associate commissioners shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, as provided by law."

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Apr 15 22 29 May 6, 1967.

E. E. KOCH.

Sworn to and subscribed before me this 6 day of May 1967.

W. F. EGAN,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 140. To the Committee on Local Legislation No. 2

H. B.'s 224, 81, 171, 73, 273, 71, 78, 83, 228, 333, 334, 342, 343, 347, 349, 352, 337 and 175. To the Committee on Local Legislation No. 1

H. B.'s 275, 308 and 226. To the Committee on Finance and Taxation

H. B. 106. To the Committee on Judiciary

H. B. 220. To the Committee on Public Buildings and Grounds

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Radney:

S. 292. To apply only in all counties of this state having not less than 34,000 nor more than 35,500 population according to the last or any subsequent federal decennial census, prohibiting the taking, catching, capturing or killing game or non-game fish by use of a gill net in public waters in such counties.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Vacca, Nabors, Pelham and Giles:

S. 259. To amend further Section 440 of Title 37 of the Code of Alabama, 1940, as amended, relating to municipal operations.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 261. To amend Act No. 310, H. 148, Page 367, of the Regular Session of the Alabama Legislature, 1953.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 263. To require persons or owners to make affidavit as to the location of their legal residence upon registering and returning and assessing motor vehicles for ad valorem taxes; prescribing penalties.

By Mr. McDermott:

S. 311. To authorize the Board of Commissioners of any incorporated municipality organized and operating under the provisions of Chapter 4, Article 1, Title 37, Code of Alabama 1940, as amended, which owns and operates a light and power system, a municipal water system, a municipal sewer system or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to authorize a municipal board or a municipal public corporation, operating in a municipality organized under the provisions of Chapter 4, Article 1, Title 37, Code of Alabama 1940, which owns or operates a municipal light and power

system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to fix his duties while so acting as superintendent, to pay additional compensation for his service as superintendent of such system or systems, and to validate the employment of and compensation paid to any Mayor or President of the Board of Commissioners for services heretofore rendered as superintendent of any such system or systems.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 21. Relative to commending the activities of the Consumer Credit Counseling Service of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Gloor, Yeilding, Graham, Adwell, Bank, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brasell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Ellis, Fine, Fite, Foshee, Gafford, Garrett, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Hogan, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Lemley, Lybrand, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McElhaney, McLain, Meade, Meeks, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Sessions, Shumate, Slate, Smith (C), Smith (P), Snell, Snodgrass, Springer, Starnes, Steagall, Stenbridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright and Young:

H. J. R. 44. WHEREAS we are deeply concerned and distressed by the recurrence of the illness of our most beloved and highly esteemed Governor; and

WHEREAS Governor Lurleen B. Wallace in making a full and prompt disclosure of the nature of her illness and of her intent to seek immediate treatment and possible surgery for cancer, has not only kept faith with the people of Alabama in making this announcement, but has brought encouragement to millions of others who suffer like illnesses to seek early and necessary treatment. She serves as a standard bearer in a crusade against cancer and her example of fortitude may well be responsible for saving countless others; and

WHEREAS Lurleen B. Wallace, long before she became Governor, was known as a gracious lady, delightful companion and a person intelligently concerned with the problems of her fellow man, but since undertaking her duties of office, she has continued to grow in stature and has brought much credit to the State of Alabama, to her family and to herself; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That our prayers and confident hopes for an early and complete recovery go with our beloved Governor Lurleen Burns Wallace. During her absence, we shall miss the radiance with which she graced our Capitol, and we shall await with hopeful anticipation her restoration to health and to our midst.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 44, set out in the foregoing Message from the House, was unanimously concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Young:

H. J. R. 45. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two houses adjourn on Thursday, June 29, they will adjourn to meet again on Tuesday, July 11, at twelve o'clock noon.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 45, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Graham and Berryman (W):

H. J. R. 37. BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that

WHEREAS, the Justice of Peace Courts throughout the State of Alabama are at the present time and have been throughout the history of our country and state an integral and fundamental part of our judicial system, and

WHEREAS, said courts are created and provided for in our present State Constitution and, therefore, being constitutional offices, and

WHEREAS, there does now exist much confusion, misinformation, and disorganization in regard to the functions, procedures and general status of these courts within the framework of our judicial system, and

WHEREAS, much publicity and general public concern has been focused on these courts and their rightful status in the judiciary within recent months throughout the State of Alabama and within the various branches of government, and

WHEREAS, the Justice of Peace Association which now constitutes the official organization of the present Justice of Peace officeholders throughout the State of Alabama have recently made known to members of this Legislature that they are sincerely concerned and interested in appropriate legislation for the general upgrading and streamlining of these courts, and

WHEREAS, it is to the best interest and welfare of the public and necessary for justice and good government, generally, that such matters be carefully looked into, studied and acted upon by the Legislature at the nearest possible date,

NOW, THEREFORE, the Speaker of the House of Representatives and the President of the Senate of the State of Alabama are hereby requested and directed to appoint a Committee of three members from each legislative body to make a thorough study and investigation into the present status of the Justice of Peace Courts as they are now set up and functioning as a part of our judicial system, and following such study and investigation, said Committee shall prepare a comprehensive and detailed report setting forth its findings and make recommendations as to any appropriate and necessary legislation which the Committee feels should be enacted at this time concerning these offices.

The Committee shall submit its recommendations, together with drafts of proposed bills and constitutional amendments to the regular session of the Legislature as soon as possible after the adoption of this Resolution, and in any event not later than July 15, 1967.

The members of the Committee shall receive the same pay and allowances for attendance at meetings as for attendance at meetings of regular committees of the Legislature, whether or not the Legislature is in special or regular session at the time of such meetings.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 37, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

Mr. Engel offered the following Senate Joint Resolution, to-wit:

S. J. R. 33. WHEREAS death came recently to Dr. James Callanan Van Antwerp, Sr., lifetime resident of Mobile and widely known and respected civic and business leader; and

WHEREAS Dr. Van Antwerp was a graduate of Springhill College and the Philadelphia College of Pharmacy; a member of the Phi Chi Fraternity and the American Pharmaceutical Society; and

WHEREAS Dr. Van Antwerp was a consecrated and devoted member of the Catholic Church, member and past deputy of the Fourth Degree, Knights of Columbus and member and former president of the Holy Name of Jesus Society; and

WHEREAS Dr. Van Antwerp served his community as treasurer of the Mobile County Tuberculosis Sanatorium, member and chairman of the Mobile Housing Board, and as president of the Murphy Parent-Teachers Association, the Mobile Realty Association and the Mobile Insurance Writers Association. He was a charter member of the Rotary Club and the Kiwanis Club; and a member of the Sons of Confederate

Veterans, Sons of the American Revolution, Alba Hunting and Fishing Club, Athlestan Club, Elks Club and Mobile Country Club; and

WHEREAS Dr. Van Antwerp was actively interested in local, state and national affairs, an ardent supporter of the Constitution of the United States and a staunch believer in States' Rights; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature hereby expresses its deep sorrow at the loss of this distinguished citizen and extends its heartfelt condolence to his family.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to his widow, Mrs. Fannie Imahorn Van Antwerp.

On motion of Mr. Engel, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 269. Relating to Marion County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Also:

H. 270. Relating to Winston County; authorizing the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and providing for a referendum thereon.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 101. To provide an expense allowance for the judges of all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, such allowances to be paid out of the general fund of the respective counties.

Also:

H. 102. To prescribe the salary of the clerks for all inferior courts created in lieu of justices of the peace in a precinct in the county and having county-wide jurisdiction of certain offenses, of all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Also:

H. J. R. 7. Expressing legislative policy with respect to the pending anti-firearm legislation in the U. S. Senate.

Also:

H. J. R. 30. Designating the Hugh Rowe Thomas Bridge in Tuscaloosa County.

Also:

H. J. R. 31. Commending Mr. Herman Nelson, State Highway Director, and employees of the State Highway Department.

Also:

H. J. R. 35. Expressing appreciation to the Alabama Cattlemen's Association for their gracious hospitality.

Also:

H. J. R. 39. Requesting the Alabama Congressional Delegation to support the passage of S—1508 concerning alcoholism.

Also:

H. J. R. 43. Proclaiming the week of July 2, 1967 "WE HONOR OUR FIGHTING FORCES IN VIETNAM WEEK".

Also:

H. J. R. 34. Expressing regret upon the death of Mr. Varna Avant Rushton, Sr. of Montgomery.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 8. To apply only in counties having populations of not less than 76,000 nor more than 96,000, providing expense allowances for the tax assessor, tax collector, and circuit court clerk, and repealing conflicting laws.

Also:

H. 99. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

Also:

H. 110. To fix the compensation of certain county officers in all counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 24. To amend Act No. 132, H. 186, Regular Session 1945, an act to regulate the making and applying of rates for fire, inland marine, and all other kinds of insurance which fire insurance companies are authorized to write in this State (General Acts 1945, p. 133).

as amended.

Mr. Nabors moved that further consideration of the Bill, S. B. 24, as amended, be postponed until the Twenty-Fifth Legislative Day. Mr. Givhan moved that the motion to postpone be laid on the table, and the motion to table was lost.

Yeas 12; Nays 15.

Yeas:

Messrs.:	Givhan	Lolley	Oden
Cooper	Goodwyn	McDermott	Pierce
Engel	Leonard	O'Bannon	Turner
Giles			

—12

Nays:

Messrs.:	Dominick	Hawkins	Nabors
Albea	Folsom	Jackson	Pelham
Bailes	Gilmore	McCarley	Radney
Childs	Harris	Morrow	Vacca

—15

The question then recurred on the motion of Mr. Nabors that further consideration of the Bill, S. B. 24, as amended, be postponed until the Twenty-Fifth Legislative Day, and the motion to postpone was then adopted.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Cooper	Hawkins	Nabors
Albea	Dominick	Jackson	Pelham
Bailes	Folsom	McCarley	Radney
Carr	Gilmore	Morrow	Vacca
Childs	Harris		

—17

Nays:

Messrs.:	Goodwyn	McDermott	Pierce
Engel	Leonard	O'Bannon	Skidmore
Giles	Lolley	Oden	Turner
Givhan			

—12

Mr. Cooper moved that the Senate reconsider the vote by which it postponed further consideration of the Bill, S. B. 24, as amended, until the Twenty-Fifth Legislative Day, and further moved that his motion to reconsider be postponed until the next Legislative Day. Upon request for a division thereupon, Mr. Cooper moved that his motion to reconsider be postponed until the next Legislative Day. On motion of Mr. Nabors, the motion to postpone was laid on the table.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Albea	Folsom	McCarley	Radney
Bailes	Gilmore	Morrow	Stone
Carr	Harris	Nabors	Vacca
Childs	Hawkins		

—17

Nays:

Messrs.:	Givhan	Lolley	Pierce
Cooper	Goodwyn	McDermott	Skidmore
Engel	Leonard	O'Bannon	Turner
Giles	Lindsey	Oden	

—14

Thereupon the question was on the motion of Mr. Cooper that the Senate reconsider the vote by which further consideration of the Bill, S. B. 24, as amended, was postponed until the Twenty-Fifth Legislative Day. On motion of Mr. Nabors, the motion to reconsider was laid on the table.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Childs	Hawkins	Pelham
Albea	Dominick	Jackson	Radney
Bailes	Folsom	McCarley	Stone
Branyon	Gilmore	Morrow	Vacca
Carr	Harris	Nabors	

—18

Nays:

Messrs.:	Giles	Lindsey	Oden
Clark	Givhan	Lolley	Pierce
Cooper	Goodwyn	McDermott	Skidmore
Engel	Leonard	O'Bannon	Turner

—15

RECESS

At 3:30 P. M., Mr. Goodwyn moved that the Senate take a recess until 4 o'clock this afternoon, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Giles	Lindsey	Oden
Branyon	Givhan	Lolley	Pierce
Clark	Goodwyn	McDermott	Skidmore
Cooper	Leonard	O'Bannon	Turner
Engel			

—16

Nays:

Messrs.:	Dominick	Hawkins	Nabors
Albea	Folsom	Jackson	Pelham
Bailes	Gilmore	McCarley	Radney
Carr	Harris	Morrow	Vacca
Childs			

—16

The President and Presiding Officer of the Senate voted "Aye"; therefore, the motion to recess was adopted, and the Senate took a recess until 4 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

The Bill:

S. 25. To amend Act No. 133, H. 187, Regular Session 1945, an act to regulate the making and applying of rates for casualty, surety, and all other kinds of insurance which casualty and surety insurance companies are authorized to write in this State (General Acts 1945, p. 145).

was taken up.

On motion of Mr. Givhan, further consideration of the Bill, S. B. 25, was postponed until the Twenty-Fifth Legislative Day.

RESOLUTION

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 34. WHEREAS the State of Alabama in 1964 paid one thousand dollars (\$1,000) to the Association of State Fiscal Officers, which funds were transferred in November 1966 to the National Association of Auditors, Comptrollers and Treasurers with executive offices located in Raleigh, North Carolina; and

WHEREAS this money was transferred with the understanding that the ten participating states could, upon petitions therefor, receive a refund of any money paid into this organization, and the State of Pennsylvania has so requested and received its money; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Finance Director be requested to institute proper proceedings for securing a refund of Alabama's deposit of this one thousand dollars (\$1,000).

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 15. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts in the several counties.

was read a third time at length as required by the Constitution and lost for failure to receive the required Constitutional majority.

Yeas 16; Nays 11.

Yeas:

Messrs.:	Gilmore	McCarley	O'Bannon	
Carr	Harris	McDermott	Pelham	
Childs	Leonard	Morrow	Radney	
Dominick	Lindsey	Nabors	Vacca	
Folsom				—16

Nays:

Messrs.:	Cooper	Givhan	Lolley	
Albea	Engel	Goodwyn	Pierce	
Branyon	Giles	Hawkins	Turner	
				—11

The Bill:

S. 11. Proposing an amendment to the Constitution of Alabama relative to the holding of primary elections by political parties, and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 7.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Albea	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Branyon	Jackson	Nabors	Turner	
Carr	Leonard	O'Bannon	Vacca	
Childs	Lindsey	Pelham		—22

Nays:

Messrs.:	Folsom	Goodwyn	Lolley	
Cooper	Givhan	Harris	Pierce	
				—7

The Bill:

S. 12. To amend Code of Alabama 1940, Title 17, Sections 336 and 339, which relate to primary elections held by political parties, so as to make such elections compulsory under certain conditions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 4.

Yeas:

Messrs.:	Giles	Lindsey	Pelham	
Albea	Gilmore	McCarley	Radney	
Bailes	Goodwyn	McDermott	Skidmore	
Branyon	Hawkins	Morrow	Stone	
Carr	Jackson	Nabors	Turner	
Dominick	Leonard	O'Bannon	Vacca	
Engel				—24

Nays:

Messrs.:	Cooper	Givhan	Lolley	
Clark				—4

The Bill:

S. 81. To designate Hematite as the official mineral of the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Pelham	
Albea	Gilmore	McCarley	Pierce	
Bailes	Givhan	McDermott	Radney	
Branyon	Harris	Morrow	Skidmore	
Childs	Hawkins	Nabors	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Engel	Lindsey			—25

Nays: —0

The Bill:

S. 169. To make a supplemental appropriation to the Department of Agriculture and Industries.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Morrow	
Adams	Dominick	Hawkins	Nabors	
Bailes	Engel	Jackson	O'Bannon	
Branyon	Giles	Lindsey	Pelham	
Carr	Gilmore	Lolley	Radney	
Childs	Givhan	McCarley	Turner	
Clark	Goodwyn	McDermott	Vacca	
				—27

Nays: —0

The Bill:

S. 225. To provide an expense allowance for the district attorney of the Second Judicial Circuit of Alabama, payable by the counties com-

posing said circuit; providing an effective date and a termination date for operation of the Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Radney	
Childs	Harris	Nabors	Skidmore	
Clark	Hawkins	O'Bannon	Stone	
Cooper	Jackson	Oden	Turner	
Dominick	Lolley			—25

Nays: —0

The Bill:

S. 226. To provide an additional expense allowance to the judge of the second judicial circuit of Alabama payable by the counties composing said circuit; providing for an effective date and a termination date for the operation of the act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Morrow	Radney	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 200. To apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Skidmore	
Bailes	Gilmore	McCarley	Stone	
Clark	Goodwyn	McDermott	Turner	
Cooper	Hawkins	Morrow	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 141. Relating to Autauga County; authorizing the county board of education to furnish certain equipment, supplies, and services heretofore furnished by the county governing body and relieving the county governing body of the responsibility of furnishing such equipment, supplies, and services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	McCarley	Radney	
Bailes	Giles	Morrow	Skidmore	
Branyon	Gilmore	O'Bannon	Stone	
Carr	Givhan	Oden	Turner	
Childs	Goodwyn			—25

Nays:

—0

The Bill:

H. 313. To apply only in counties having populations of not less than 100,000 nor more than 115,000; providing for establishment, operation, and financing of educational survey committees in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Oden	
Branyon	Givhan	McCarley	Pelham	
Carr	Goodwyn	McDermott	Pierce	
Childs	Harris	Morrow	Skidmore	
Clark	Hawkins	Nabors	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

H. 287. To apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Jackson	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	McCarley	Stone	
Branyon	Gilmore	Morrow	Turner	
Carr	Givhan	Nabors	Vacca	
Childs	Hawkins			—25

Nays:

—0

The Bill:

S. 304. To amend Act No. 107, H. 455, Regular Session 1965, an act changing the method of compensating certain officers of Lauderdale County and placing such officers on a salary basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Adams	Gilmore	Lindsey	Radney	
Albea	Givhan	McCarley	Skidmore	
Bailes	Goodwyn	McDermott	Stone	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays:

—0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 21. Commending the activities of the Consumer Credit Counseling Service of Alabama.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 5. To change the time of meeting of the legislature in regular sessions; amending Code of Alabama Title 32, Section 4.

was taken up.

Mr. Nabors offered the following amendment to the Bill, S. B. 5, to-wit:

AMENDMENT TO S. B. 5

Amend Section 1 by adding the following sentence:

"Any recess of the legislature jointly concurred in by both houses thereof for the holding of committee hearings shall not be considered as being any portion of said eighty-four (84) calendar days."

Which was adopted.

Yeas 23; Nay 1.

Yeas:

Messrs.:	Giles	Lindsey	O'Bannon
Albea	Gilmore	Lolley	Pelham
Bailes	Givhan	McCarley	Radney
Branyon	Goodwyn	McDermott	Skidmore
Childs	Hawkins	Morrow	Turner
Folsom	Leonard	Nabors	Vacca

—23

Nay: Mr. Dominick

—1

And said Bill, S. B. 5, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	O'Bannon
Adams	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Goodwyn	McDermott	Turner
Carr	Harris	Morrow	Vacca
Childs	Hawkins	Nabors	

—26

Nays:

—0

The Bill:

H. 88. To provide for the delegation of the audit function of hospitals and nursing homes by the Chief Examiner of Public Accounts to independent Certified Public Accountants.

was taken up.

Mr. Goodwyn offered the following substitute for the Bill, H. B. 88, to-wit:

SUBSTITUTE FOR H. B. 88

A BILL TO BE ENTITLED AN ACT

To provide for auditing of the books and records of publicly owned hospitals, nursing homes, rest homes, and any other publicly owned medical institution by independent certified public accountants.

Be It Enacted by the Legislature of Alabama:

Section 1. The books and records of publicly owned hospitals, nursing homes, rest homes, or any other publicly owned medical institution may upon the request of the Governing Board of the particular institution be audited annually by any certified public accountant chosen by any such institution to perform the audit. Such audit shall be in lieu of any audits otherwise required by law of said institution. The audit to be performed by the certified public accountant shall be in accordance

with generally accepted auditing standards and the auditing report shall be addressed to the chief examiner of public accounts who shall be charged with the responsibility of processing and distributing it as provided by law. Examinations and audits performed under provisions of this section shall be made at the expense of the institution and not as an expense of the State of Alabama. Such audit reports shall be public records open to public inspection and a copy of each report shall be kept on file at the institution concerning which the audit was made.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	O'Bannon	
Albea	Engel	Lindsey	Oden	
Bailes	Folsom	Lolley	Pelham	
Branyon	Giles	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins			—29

Nays:

—0

And said Bill, H. B. 88, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	O'Bannon	
Adams	Dominick	Lindsey	Oden	
Albea	Folsom	Lolley	Pelham	
Bailes	Giles	McCarley	Radney	
Branyon	Goodwyn	McDermott	Skidmore	
Carr	Harris	Morrow	Stone	
Childs	Hawkins	Nabors	Vacca	
				—27

Nays:

—0

The Bill:

H. 124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Oneonta, in Blount County, Alabama, so as to annex territory to the said city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Clark	Givhan	Oden	Turner	
Cooper	Goodwyn			—25

Nays:

—0

ADJOURNMENT

At 5:10 P. M., on motion of Mr. Radney, the Senate adjourned until Thursday, June 29, 1967, at 12 o'clock Noon.

FIFTEENTH LEGISLATIVE DAY

THURSDAY, JUNE 29, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert Strong, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Hawkins	Oden	
Albea	Engel	Jackson	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Skidmore	
Carr	Gilmore	McCarley	Stone	
Childs	Givhan	Morrow	Turner	
Clark	Goodwyn	Nabors	Vacca	
Cooper	Harris	O'Bannon		—30

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fourteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Leonard, Adams, Radney, McDermott and Torbert for today.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

June 29, 1967

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I wish to report to you that I will leave for Houston, Texas, on Tuesday, July 4, 1967.

I am most grateful for your expression of concern in your resolution of June 27. I will carry with me your gracious and encouraging thoughts. Please accept my heartfelt thanks for your good wishes.

I look forward to my early return to the State of Alabama.

Respectfully,

LURLEEN B. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and ordered spread upon the Journal.

INTERIM COMMITTEE REPORT FILED

In accordance with the provisions of H. J. R. 77 of the 1967 Special Session, the Joint Committee on Constitutional Revision submitted its report to the Senate, whereupon it was ordered filed with the Secretary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 42. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 344. To create Offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties, and compensation of such offices.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 345. To amend Chapter 2 of Title 17 of the 1940 Code of Alabama, as Amended, to authorize the holding of a presidential preferential primary, to authorize the making of rules governing such preferential primary, and providing for the time for holding such preferential primary, the ballot to be used in such preferential primary and the payment of expenses of such preferential primary.

Committee on Privileges and Elections.

By Mr. Skidmore:

S. 346. Relating to automobile and motor vehicle liability insurance, requiring certain disclosures as to the amount of coverage of the insured in certain cases; providing remedies for noncompliance.

Committee on Corporations.

By Messrs. Vacca, Givhan, McCarley, Branyon, Bailes, Gilmore, Childs and Hawkins:

S. 347. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory periodic inspection of motor vehicles, trailers, semi-trailers, pole-trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designation and regulation of inspection stations and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; and repealing Act No. 542, N. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

Committee on Aviation and Traffic.

By Mr. Turner:

S. 348. To amend Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to provide for the continued existence of any corporation organized under the said act until dissolved in the manner provided therein.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 349. To amend Title 14, Section 49, Code of Alabama, 1940, as amended, pertaining to levying blackmail.

Committee on Judiciary.

By Mr. Goodwyn:

S. 350. To amend Title 14, Section 85, Code of Alabama, 1940, as amended pertaining to Burglary in the First Degree.

Committee on Judiciary.

By Mr. Goodwyn:

S. 351. To amend Title 14, Section 88, Code of Alabama, 1940, as amended, pertaining to Burglary by Breaking out of House or Other Premises.

Committee on Judiciary.

By Mr. Goodwyn:

S. 352. To amend Title 14, Section 87, Code of Alabama, 1940, as amended, pertaining to Burglary of Motor Vehicles.

Committee on Judiciary.

By Mr. Goodwyn:

S. 353. To amend Title 14, Section 86, Code of Alabama, 1940, as amended, pertaining to Burglary in the Second Degree.

Committee on Judiciary.

By Mr. Goodwyn:

S. 354. To repeal Title 15, Section 265, Code of Alabama, 1940.

Committee on Judiciary.

By Mr. Goodwyn:

S. 355. To define and prohibit the unfair sales of tires and tubes; and to provide remedies and set forth penalties for violations.

Committee on Judiciary.

By Mr. Goodwyn:

S. 356. To amend Title 11, Section 86, Code of Alabama, 1940, as amended pertaining to District Attorney's fees.

Committee on Judiciary.

By Mr. Goodwyn:

S. 357. To prohibit and provide appropriate penalties for the removal, falsification or alteration of motor vehicle or engine identification numbers.

Committee on Judiciary.

By Mr. Goodwyn:

S. 358. To regulate the sale, purchase, possession and use of dynamite and other explosives; requiring permits for such purchases or possession and certain uses; providing for records and reports; and prescribing penalties for violations.

Committee on Judiciary.

By Mr. Goodwyn:

S. 359. To repeal Title 15, Section 264, Code of Alabama, 1940.

Committee on Judiciary.

By Mr. Goodwyn:

S. 360. To amend Title 15, Section 263, Code of Alabama, 1940, as amended.

Committee on Judiciary.

By Messrs. Lolley, Clark and Giles:

S. 361. To create a board of trustees to manage and control Troy State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Troy State College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Public Buildings and Grounds.

By Mr. Clark:

S. 362. To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 363. To amend further, Sections 9, 10, 13, 16, 18, 20 and to repeal Section 19, and to add Section 20(1), all of Chapter 2 of Title 46, Code of Alabama 1940, which relates to the registration of architects.

Committee on Finance and Taxation.

By Mr. Harris:

S. 364. To amend Code of Alabama 1940, Title 7, Sections 727, 728, 729, 735, 737 and 739 for the purpose of regulating further the period in which real estate or any interest therein, which has been sold under the power of sale in a deed of trust or mortgage, may be redeemed.

Committee on Judiciary.

By Messrs. Bailes, Childs, Branyon, Pierce, Oden, McCarley, Nabors, Morrow, Harris, Gilmore, Vacca, Dominick and Goodwyn:

S. 365. To provide for and prescribe a code of ethics for the legislature; creating a code of ethics committee to administer and enforce such code; describing its duties, powers and compensation.

Committee on Judiciary.

By Mr. Harris:

S. 366. Relating to county roads, providing for regulation of digging up or use of such roads for certain purposes by public utilities.

Committee on Counties and County Boundaries.

By Mr. Engel:

S. 367. Relating to rentals or royalties under a mineral rights lease; prescribing rights and liabilities of the parties in interest in regard to payment and non-payment.

Committee on Judiciary.

By Messrs. Bailes, Vacca and Givhan:

S. 368. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the state department of public safety; and to impose penalties for violations of this act.

Committee on Aviation and Traffic.

By Mr. Branyon:

S. 369. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 370. To provide for the compensation of attorneys under the Merit System.

Committee on Judiciary.

By Mr. Lolley:

S. 371. To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, drivers and dispatchers; to establish and enforce rules and regulations for the operation, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances and other emergency medical care systems; to provide for penalties for violations of rules and regulations established hereunder:

Committee on Public Health.

MOTION TO RECONSIDER

Mr. Albea moved that the Senate reconsider the vote by which the Bill:

S. 15. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts in the several counties.

was defeated on the Fourteenth Legislative Day, which motion was adopted, and the Senate did reconsider said vote.

Mr. Albea then moved that further consideration of the Bill, S. B. 15, be postponed until the next Legislative Day, which motion was adopted.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 42. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MOTION TO RECONSIDER

Mr. Lindsey moved that the Senate reconsider the vote by which the Bill:

S. 11. Proposing an amendment to the Constitution of Alabama relative to the holding of primary elections by political parties, and ordering an election thereon.

was passed on the Fourteenth Legislative Day, and further moved that his motion to reconsider be postponed until the Seventeenth Legislative Day.

Mr. Albea moved that the motion to postpone the motion to reconsider be laid on the table, and the motion to table was lost.

The question was then on the motion of Mr. Lindsey that the motion to reconsider the vote by which the Bill, S. B. 11, was passed, be postponed until the Seventeenth Legislative Day, and the motion to postpone was adopted.

BILL RECALLED AND RE-REFERRED

On motion of Mr. Turner, unanimous consent was given for the Bill, S. B. 336, to be recalled from the Standing Committee on Forestry and Conservation.

Mr. Turner then moved that said Bill, S. B. 336, be re-referred to the Standing Committee on Finance and Taxation, which motion was adopted, and said Bill, S. B. 336, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 89. To amend Act No. 284, H. B. 657, Regular Session 1947, an act authorizing the governing body of Pickens County to pay the compensation of a deputy sheriff other than the chief deputy.

Also:

H. 214. To create and establish an inferior court for Washington County in lieu of the court of general sessions created by Act No. 137, H. B. 435, Regular Session 1963; abolishing the court of general sessions, and making provisions for the officers and jurisdiction of the inferior court.

Also:

H. 159. Relating to Pickens County; prescribing the times when county offices may be closed.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 195. To apply only in counties having populations of not less than 11,000 nor more than 13,000 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Also:

H. 196. To amend Act No. 362, H. B. 721, Regular Session 1963, an act relating to counties having a population of not less than 11,000 nor more than 13,000 inhabitants.

Also:

H. 219. To provide that the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 70,000 nor more than 96,000, according to the last or any subsequent federal decennial census, shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

Also:

H. 260. To authorize establishment and operation of branch banks and branch offices of banks in Coffee County.

Also:

H. 215. To provide for the compensation of jurors in Washington County.

Also:

H. 288. To fix the compensation of the official court reporter in the seventeenth judicial circuit and provide for the payment thereof.

Also:

H. 289. To apply only in Sumter County; regulating further the compensation of the chief deputy of the sheriff of such county.

Also:

H. 290. Relating to Sumter County; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Also:

H. 9. To provide expense allowances for the circuit judges of the seventh judicial circuit; to fix the expiration dates of such expense allowances.

Also:

H. 10. Relating to counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census; to authorize the county governing bodies of all such counties to provide an additional clerk-hire allowance to the circuit clerk.

Also:

H. 35. To amend Act No. 20, H. 1, approved March 11, 1965 (Acts, Special Session 1965, v. 1, p. 35), an act fixing the compensation of bailiffs serving in courts in Autauga County.

Also:

H. 59. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

Also:

H. 60. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

H. 61. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

H. 87. To amend Act No. 666, Acts of Alabama, 1957 relating to Montgomery County; changing the method of compensating the Register of the Circuit Court of Said County, fixing his compensation, providing for his deputies and assistants and the operation of his office, and for the disposition of costs and fees collected by him.

Also:

H. 52. To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

Also:

H. 125. To amend Act No. 64, H. B. 17, Special Session 1967, entitled "An Act to provide further for the compensation of the circuit court judges of the seventh judicial circuit."

Also:

H. 126. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

Also:

H. 129. Relating to the City of Opp in Covington County: Authorizing the City of Opp as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporations and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

H. 130. Relating to Covington County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Also:

H. 163. Relating to Walker County; providing an additional clerk hire allowance for the circuit clerk.

Also:

H. 142. Relating to counties having populations of not less than 47,000 nor more than 49,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of such counties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 32. Designating the town of Messer.

Also:

H. J. R. 44. Expressing prayers and confident hopes to Governor Lurleen Burns Wallace for an early and complete recovery.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 7. To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hain:

H. 158. To alter, rearrange and extend the boundaries of the City of Selma in Dallas County; and to provide for a referendum election to determine whether this Act will become effective.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Selma in Dallas County; and to provide for a referendum election to determine whether this Act will become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Selma in Dallas County are hereby altered, rearranged and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, all of the following described area lying south of and contiguous to the present southern boundary of the corporate limits of the City of Selma, Dallas County, Alabama, embracing 67 acres of the Alabama River and a land area of 986 acres, more or less; all lying partly in the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 1, Township 16 North, Range 10 East; partly in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, Section 5, Section 6, Section 7, the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, and the N $\frac{1}{2}$ of Section 18, Township 16 North, Range 11 East; partly in the SE $\frac{1}{4}$ of Section 36, Township 17 North, Range 10 East; and partly in the SW $\frac{1}{4}$ of Section 31, Township 17 North, Range 11 East; and being more particularly described by reference to certain maps recorded in the Probate Office of Dallas County, Alabama, as follows, to-wit:

Beginning at the intersection of the low water line of the south or left bank of the Alabama River with the center-line of U. S. Highway 80, (Edmund W. Pettus Bridge); thence run in a westerly direction along said low water line to its intersection with a line drawn 500 feet, (right angle distance), westerly of and parallel to the center line of said highway; thence run in a southerly direction along said parallel line to its intersection with the south margin of Cosby Street, according to the map of Cosby Addition recorded in Map Book 4, at Page 34; thence run in a westerly and southerly direction along the east margin of Cosby Street to the north margin of a street, now known as Bradford Circle, which extends along the west, north, and east boundaries of Block B, according to the map of King Estate Property, Plat No. 1, recorded in Map Book 2, at Page 102; thence run in an easterly and southerly direc-

tion along the north and east margins of Bradford Circle to the north margin of Kings Bend Road; thence run in a westerly direction along the north margin of said road to its intersection with a line drawn 300 feet, (right angle distance), westerly of and parallel to the west margin of U. S. Highway 80; thence run in a southerly direction along said parallel line to the southwest corner of Lot 8 of Block E, according to said King Estate map; thence run in a southerly and easterly direction along the west and south boundaries of Lot 9 of Block E to the northwest corner of Lot 10 of said Block E; thence run in a southerly direction along the east margin of an unnamed street, according to said King Estate map, to the southwest corner of Lot 16 of Block E; thence run in a southeasterly direction to the northwest corner of Lot 2, according to the map of Faulk Brothers Land subdivision recorded in Map Book 1, at Page 188-A; thence run in a southerly direction along the west line of said Lot 2 to its southwest corner; thence run in a southeasterly direction to the northwest corner of Lot 23, according to the map of the J. S. Faulk Property recorded in Map Book 2, at Page 8-A; thence run in a southerly direction along the west line of said Lot 23, to its southwest corner; thence run in a southerly direction to the northwest corner of Lot 23 of Block A, according to the map of the Annabel Hood Subdivision recorded in Map Book 2, at Page 16-B; thence run south along the west line of said Lot 23 of Block A to the north margin of Hood Street; thence run in a southeasterly direction to the northwest corner of Lot 11 of Block B, according to the map of Blocks B and C of the Annabel Hood Subdivision recorded in Map Book 2, at Page 37-A; thence run south to the southwest corner of said Lot 11 of Block B; thence run west along the south line of said Block B for 157.76 feet to the northwest corner of that certain 12-acre parcel shown by a map recorded in Map Book 2, at Page 58-A; thence run South 13 degrees 30 minutes East along the west line of said 12-acre parcel and parallel to U. S. Highway 80 for 566.31 feet to the north line of the Flamingo Trailer Park property; thence run by the following courses along the north, west, and south boundaries of said property: West 129.24 feet; south, 157.75 feet; west, 439.7 feet; south 16 degrees 30 minutes east, 534.7 feet to the south line of Section 1; east, 349.8 feet to the northwest corner of said Section 7; south, 78.08 feet; and east along the south boundary of the Flamingo Trailer Park Property to its intersection with a line drawn 400 feet, (right angle distance), westerly of and parallel to the west margin of U. S. Highway 80; thence run south 13 degrees 30 minutes east along said parallel line to the north line of the SW $\frac{1}{4}$ of Section 7, Township 16 North, Range 11 East, said line being more particularly shown on a Map of Keith Lands recorded in Map Book 2, at Page 12-A; thence run west along said line to the northwest corner of Lot 50, according to said Map of Keith Lands; thence run south along the east line of Lot 50, and a projection of said line, to the south margin of Churchill Avenue; thence run east along the south margin of Churchill Avenue to the west margin of Front Street, all according to said Map of Keith Lands; thence run in a southerly direction along the west margin of Front Street for 803 feet more or less, to the north line of the Selmont Drive-In Theater lot; thence run south 83 degrees 00 minutes west along said line for 224.6 feet to the west line of said lot; thence run south along said west line, and a projection of said line, to the south margin of Roosevelt Avenue; thence run east along the south margin of Roosevelt Avenue to a point 440.3 feet west of the intersection of said south margin with the west margin of the L. & N. Railroad right-of-way; thence run south along the west margin of Ike Street for 1300 feet; thence run east and parallel to Roosevelt Avenue, and on a projection of said line, to the east margin of the L. & N. Railroad right-of-way; thence run in a southerly direction along said right-of-way line to its intersection with the west margin of Alabama Highway No. 41; thence run in an easterly direction at right angles to the highway to its east margin; thence run in a northerly direction along the east margin of said highway to the

southwest corner of Lot 20, according to the map of the L. O. Jackson Subdivision recorded in Map Book 3, at Page 15; thence run east along the south line of said Lot 20 to the southwest corner of Lot 36, according to the Map of Keith Lands recorded in Map Book 2, at Page 11; thence run north along the west line of said Lot 36 to the south margin of U. S. Highway 80; thence run in a northerly direction to a point on the north margin of said highway that is 1268 feet, measured along said highway margin, west of the east line of said Section 18; said point being the southwest corner of the Foster Oil Co. lot; thence run north 23 degrees 24 minutes east along the west margin of said lot for 225.8 feet to the south margin of the Western Railway of Alabama right-of-way; thence run in a northwesterly direction along said right-of-way line to the east line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 18; thence run north along said line and continuing north along the east line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 7 to the south line of Lot 18-A, according to the Map of Keith Lands recorded in Map Book 2, at Page 11; thence run east along said line for 15 feet, more or less, to the east line of Lot 7 of the subdivision of said Lot 18-A; thence run north along the east line of Lot 7, and a projection of said line, to the north margin of South Avenue; thence run west along said north margin for 15 feet, more or less, to the east margin of East Street, according to said Map of Keith Lands; thence run north along the east margin of East Street to the south margin of North Avenue; thence run east and northeast along the south margin of North Avenue, all according to said Map of Keith Lands, to the west margin of the Old Selma-Montgomery Highway; thence run north 31 degrees 30 minutes east, more or less, for 2020 feet more or less, to a point 853 south of the northeast corner of said Section 7, (said point is marked by a stone as shown on the map of Tipton Est. Division, Map No. 2, recorded in Map Book 2, at Page 87); thence continue north 31 degrees 30 minutes east, more or less, and on a projection of the last described line for 1350 feet, more or less, to the low water line of the east or right bank of the Alabama River; thence run in a northwesterly direction along said low water line to the mouth of Beech Creek; thence run due south along the present southern corporate limits of the City of Selma, Alabama, to the low water line of the south or left bank of the Alabama River; thence run in a northwesterly and westerly direction along said corporate limit line and the low water line of the Alabama River to the center-line of U. S. Highway 80, (Edmund W. Pettus Bridge), the point of beginning.

Section 2. (a) The substantial provisions of this Act shall become effective only if the Act is approved by a majority of the qualified electors of Dallas County who reside within the territory described herein which is outside the present corporate limits of the City of Selma, voting at a referendum election. The provisions hereof relative to the referendum election shall become effective immediately upon the passage and approval of this Act by the Governor, or upon its otherwise becoming law. The election shall be held on the first Tuesday after the expiration of thirty days from the date of this enactment.

(b) Notice of the election shall be given by the sheriff of Dallas County, and such notice shall be published one time in a newspaper having a general circulation in Dallas County at least ten days prior to the date of the election. The notice shall state the date on which the election is to be held, the voting place or places designated by the Court of County Revenues or other governing body of Dallas County, the boundaries within which voters must reside to vote at the respective voting places, which must be within the particular territory annexed to the City by this Act; and the notice must state that a map of the territory to be affected is on file in the office of the judge of probate of said county, open to inspection by the public. It shall be sufficient if such notice is in substance as follows: "Notice is hereby given that,

pursuant to Act No. ——— (giving number of this Act and date of enactment), an election will be held on Tuesday, the ——— day of ———, 1967, during the hours between 8:00 a. m. and 6:00 p. m., in the unincorporated territory described in Section 1 of said Act. No. ——— and in a map on file in the office of the judge of probate of Dallas County, for the purpose of submitting to the qualified electors residing in such unincorporated territory the question of approval or disapproval of such Act.

"Notice is also given that there have been designated and appointed as voting places, and as officers to serve at such voting places, the following: (Here describe the locations of the designated places of voting and list the names of the election officials appointed for each place)."

(c) The Court of County Revenues or other governing body of Dallas County may designate as many places within the particular territory to be annexed to the city as they may deem necessary for the convenience of the voters, and must designate the boundaries within which the voters must reside to vote at the respective voting places; and the appointing board, consisting of the judge of probate, sheriff and circuit clerk of Dallas County, as provided by law, shall appoint an inspector, a chief clerk, and two assistant clerks for each voting machine to be used at the election.

(d) Each qualified voter who has resided within the boundaries of the territory to be annexed to the city for three months next preceeding the election may vote at the election, but he must vote at the voting place designated by the county governing body for voters in the territory in which he resides and in no other place.

(e) The election must be conducted in all respects as provided by the general election laws and under the same sanctions and penalties, except as modified by the provisions of this Act.

(f) The probate judge of Dallas County shall cause to be installed voting machines at the designated voting places, and have prepared for the election all election supplies, including the ballot labels and the costs of these supplies shall be paid by the City of Selma. The question to be printed on the ballot labels shall be substantially stated as follows: "Do you favor annexation of the ——— area to the City of Selma in accordance with the provisions of Act No. ——— approved ———, 196—? Yes () No ()."

(g) The inspectors at the several voting places must, as soon as the polls are closed, ascertain and certify the results of the election to the judge of probate, and the judge must canvass the returns as made. If a majority of the votes cast are "Yes," this Act shall become operative as provided in Section 2 of this Act; if a majority are "No," this Act shall have no further effect. The probate judge of Dallas County shall certify the results of the election to the Secretary of State and to the governing body of the City of Selma within thirty days from the date of the election, and he shall keep on file in his office a copy of such certificate.

(h) The probate judge of Dallas County shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, all of which shall be paid by the City of Selma.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 31, April 7, April 14, and April 21, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me May 4, 1967.

JOSEPHINE K. TIPTON,
Notary Public.

Also:

By Mr. Neville:

H. 184. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Mr. Burgreen:

H. 252. To amend further Section 1 of Act No. 204, H. B. 544, approved September 30, 1959 (Acts 1959, v. 1, p. 738), an act fixing and providing for the payment of the compensation of clerks and assistants of certain officers of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 204, H. B. 544, approved September 30, 1959 (Acts 1959, v. 1, p. 738), an act fixing and providing for the payment of the compensation of clerks and assistants of certain officers of Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 204, H. B. 544, approved September 30, 1959 (Acts 1959, v. 1, p. 738, an act fixing and providing for payment

of compensation of clerks and assistants of certain officers of Limestone County, as amended, is amended further to read as follows:

"Section 1. Such sum or sums as may be necessary for such purpose are hereby appropriated annually from the general fund of Limestone County for the payment of the compensation of the clerks and assistants of the judge of probate. Such appropriation shall be used exclusively to pay salaries not exceeding the following: one chief clerk at \$350 a month, three clerks at \$325 a month, and two part time clerks at \$225 a month, for not more than three months each year."

Section 2. This Act shall take effect on the first of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Baylis Hightower, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Treasurer of the News Leader, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 20, April 27, May 4, and May 11, all in the year 1967.

BAYLIS HIGHTOWER.

Sworn to and subscribed before me June 1, 1967.

SARA H. CORDER,
Notary Public.

Also:

By Mr. Burgreen:

H. 253. To amend Section 1 of Act No. 596, H. 1087, approved August 29, 1961 (Acts 1961, V. I, p. 708), an Act entitled "An Act to authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk," so as to further fix such compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 596, H. 1087, approved August 29, 1961 (Acts 1961, V. I, p. 708), an Act entitled "An Act to authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk," so as to further fix such compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Clerk and Register in Chancery of Limestone County may employ a clerk (in addition to the Chief Clerk whose salary shall remain the same), whose salary shall not exceed \$325.00 a month, to be paid in equal monthly installments from the funds of the County in the same manner as the other employees of the county are paid.

Section 2. All laws or parts of laws, general, special or local, which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month next following its passage and approval by the Governor, or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Baylis Hightower, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Treasurer of the News Leader, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 20, April 27, May 4, and May 11, all in the year 1967.

BAYLIS HIGHTOWER.

Sworn to and subscribed before me June 1, 1967.

SARA H. CORDER,
Notary Public.

Also:

By Mr. Burgreen:

H. 254. To fix the compensation of the clerk appointed by the sheriff of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the compensation of the clerk appointed by the sheriff of Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk appointed by the sheriff of Limestone County as authorized in Section 3 of Act No. 355, H. B. 757, approved August 17, 1953 (Acts 1953, p. 423) shall be entitled to a salary of \$325 a month,

to be paid from the general funds of the county as the salaries of other county employees are paid.

Section 2. This Act shall become effective upon the first day of the month next following the date of its enactment.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Baylis Hightower, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Treasurer of the News Leader, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 20, April 27, May 4, and May 11, all in the year 1967.

BAYLIS HIGHTOWER.

Sworn to and subscribed before me June 1, 1967.

SARA H. CORDER,
Notary Public.

Also:

By Mr. Brassell:

H. 348. To apply only in counties in the state having a population of not less than 46,000 nor more than 46,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 357. To amend Act No. 154, H. 746, Regular Session 1965, an act creating the office of commissioner of licenses in counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census (Acts 1965, v. 1, p. 218) so as to make further provisions respecting the compensation of the commissioner of licenses.

Also:

By Mr. Neville:

H. 359. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

Also:

By Mr. Headley:

H. 362. Relating to law enforcement in Chilton County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to law enforcement in Chilton County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Chilton County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940 Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff.

Section 2. One dollar of each fee collected under Section 1 of this act shall be paid into the county treasury and the remaining four dollars of each fee shall be deposited by the sheriff of Chilton County, in any bank located in Chilton County, into a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund provided for in Section 2 of this act shall be drawn upon by the sheriff of Chilton County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the sheriff's office as he sees fit.

Section 4. The establishment of the Sheriff's Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his office.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF CHILTON**

Personally appeared before the undersigned, a Notary Public in and for said county and state, Bob Tucker, Publisher of the Chilton County News, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in it's issues of: 20th day of April, 1967 27Th day of April, 1967 4Th day of May, 1967 11Th day of May, 1967.

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 20th day of June, 1967.

PLUMA B. MUNCY,
Notary Public.

Also:

By Messrs. Graham and Berryman (W):

H. 363. To amend Act No. 695, H. 923, Regular Session 1965, an Act creating an inferior court for Franklin County in lieu of the county court, providing for appointment by the clerk of a clerical assistant whose compensation shall be paid by the county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, providing for appointment by the clerk of a clerical assistant whose compensation shall be paid by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 (a) of said Act No. 695, Regular Session 1965, is amended to read as follows:

"(a) The circuit clerk of Franklin County shall be the ex officio clerk of the court. He shall be entitled to receive as compensation for his services as clerk of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter be, allowed to circuit clerks in the State of Alabama. In making his settlement with the state or county, as the case may be, the clerk shall retain such fees, commissions, percentages or allowances from any monies collected as fees, fines and costs in said court. He shall have authority to purchase at county expense, subject to the approval of the county governing body, such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He may appoint a clerical assistant to aid him in the performance of his duties, whose compensation, to the extent of \$125 a month, shall be paid from the general funds of the county. He shall keep a seal, which shall be the official seal adopted by the court. Before entering upon the performance of his duties as clerk of this court, he must give bond as required by law for clerks of county courts."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on March 9, March 16, March 23, and March 30, all in the year 1967.

CLAUDE E. SPARKS.

Sworn to and subscribed before me April 4, 1967.

MAE G. STREIT,
Notary Public.

Also:

By Messrs. Graham and Berryman (W):

H. 364. To amend further Act No. 32, H. 162, Regular Session 1947, an act establishing a law and equity court for Colbert County, in relation to the duty of the clerk of the court to make minute entries of judgments in misdemeanor cases.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Act No. 32, H. 162, Regular Session 1947, an act establishing a law and equity court for Colbert County, in relation to the duty of the clerk of the court to make minute entries of judgments in misdemeanor cases.

Be It Enacted by the Legislature of Alabama:

Section 23 of Act No. 32, H. 162, Regular Session 1947, an act establishing a law and equity court for Colbert County (Local Acts 1947, p. 25,31) is hereby amended to read as follows:

"Section 23. Prosecutions for misdemeanors committed in Colbert County may be instituted in the said court by making an affidavit before the judge of said court or the clerk thereof, the writ on said affidavit to be issued by the judge or clerk of said court, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant had been indicated by a grand jury, provided, however, that the affidavit or complaint may be amended as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama of 1940. And provided, the clerk of the court shall not be required to make minute entries on the records of the court of judgments rendered in misdemeanor cases, except in cases appealed to the Court of Appeals or the Supreme Court within the time allowed by law."

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said State and County, personally appeared Jo Ann Flirt who, being by me first duly sworn, did depose and say as follows:

My name is Jo Ann Flirt I am Editor and Publisher of the Colbert County Reporter, a newspaper printed and published in the City of Tuscumbia, County of Colbert, State of Alabama, and have the authority to make this affidavit. I further certify that the attached publication was duly made in the Colbert County Reporter in its issues of January 12, 19, 26, and Feb. 2, 1967 and that the attached copy is a true and correct copy of the notice as the same appeared in said issues of said newspaper.

JO ANN FLIRT.

Sworn to and subscribed before me on this the 28th day of April 1967.

CHARLENE B. SHEPHERD,
Notary Public,
Colbert County, Alabama.

Also:

By Mr. Steagall:

H. 365. To apply only in counties in the state having a population of not less than 31,000 nor more than 32,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

By Messrs. Starnes, Drake and McDonald:

H. 373. Relating to Marshall County; providing deputies and other assistants for the sheriff, fixing their compensation, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

COPY FOR THE NEWSPAPER

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; providing deputies and other assistants for the sheriff, fixing their compensation, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the chief deputy sheriff, the sheriff of Marshall County may appoint eight deputies, two jailers, one office deputy, and one matron, whose compensation shall be payable by the county. The compensation of the chief deputy shall be a salary of \$500 a month. The eight deputies shall each be paid a salary of not less than \$350 nor more than \$450 a month, the monthly salary to be determined by the Sheriff of Marshall County. The office deputy shall be paid a salary of \$300 a month. The matron shall be paid a salary of \$200.00 a month and the two jailers shall each be paid a salary of \$250 a month. The compensation of the deputies, office deputy, jailers and matron shall be preferred claims against the general funds of the County, and shall be paid on warrants drawn in the manner prescribed by law.

Section 2. The provisions of Act No. 323, H. 778, Regular Session 1965 (Acts 1965, p. 442) and all the other laws or parts of laws in conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 16, March 23, March 30, and April 6, all in the year 1967.

EWELL H. REED.

Sworn to and subscribed before me 8 April, 1967.

BETTY C. DORMAN,
Notary Public for the State at Large.

My Commission Expires March 20, 1971.

Also:

By Messrs. Jackson (T), Gloor, Dill, Waggoner, Bowers, Sessions, Meeks, Ellis, Weeks, Adwell, Money, House, Yeilding, Cook (Jefferson), Holman, Kilgore, Crane, Watkins, Gafford and Cherner:

H. 251. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the 1st Special Session or the regular session of the Legislature of Alabama held during the year 1967 for introduction and passage of a Bill, the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Brownville, in Jefferson County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said Town certain additional territory lying within the following described boundaries, to-wit:

Begin at the SE corner of W $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., thence run West along the South line of said W $\frac{1}{2}$ of SE $\frac{1}{4}$ a distance of 78.8 feet to the NE corner of Lot 7, Block 4, according to the Map of Wenonah Subdivision, Plat "D", as recorded in Map Book 8, Page 80, Judge of Probate Office, Bessemer Division, Jefferson County, Alabama, for the point of beginning, thence continue said course along said South line, being also the North line of said Lot 7, a distance of 137.5 feet to the NW corner of said Lot 7, turn right an angle of 56° 58' a distance of 1590.26 feet to a point on the North line of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 25, being also a point on the NE right-of-way boundary of U. S. Steel Ore or Highline R. R., turn right an angle of 00° 57' along said NE right-of-way boundary a distance of 951.37 feet to a point on the NW right-of-way boundary of Second Avenue, according to the Map of Hillman, as recorded in Map Book 1, Page 57, Judge of Probate Office, Birmingham Division, Jefferson County, Alabama, being the present Brownville Corporate Limit boundary, turn right an angle of 72° 31' along said NW right-of-way boundary a distance of 129.86 feet to the intersection of a NWly projection of the NEly right-of-way boundary of Second Street, turn right an angle of 90° 00' a distance of 380.0 feet to the Southmost corner of Lot 16, Block 21, according to said Map of Hillman, turn right an angle of 90° 00' a distance of 80.0 feet to the Eastmost corner of Lot 9, Block 22, according to said Map of Hillman, turn left an angle of 90° 00' a distance of 160.0 feet, turn right an angle of 90° 00' along the SE boundary of Block "J", being also the NW right-of-way boundary of L & N Railroad, a distance of 62.70 feet, turn left an angle of 72° 31' a distance of 526.48 feet to a point on the North line of aforesaid SW $\frac{1}{4}$ of SE $\frac{1}{4}$, turn right an angle of 00° 15' a distance of 1568.97 feet to point of beginning; being in W $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., and including Block 22, Block "J", and a portion of First and Second Avenues, and a portion of Second Street, according to said Map of Hillman, Jefferson County, Alabama.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B M McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 10-17-24-31 1967 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 9 day of May 1967.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Young, Snell, Lemley, Crawford, Berryman (R), Kilgore, Watkins, Perloff, Collier, Fine and Burgess:

H. 93. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Also:

By Mr. Fite:

H. 372. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Also:

By Mr. Smith (P):

H. 293. To make a supplemental appropriation to the Department of Agriculture and Industries.

Also:

By Messrs. Collins (W), Headley, Downing, Collins (C), Perloff, Smith (P), House, Grayson, Smith (C), Marr and Cook (Jefferson):

H. 208. To provide that a dog guide may accompany a blind person in any place of public accommodation or public conveyance; to provide that violation of this Act shall be a misdemeanor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 158, 184, 252, 253, 254, 348, 357, 359, 362, 363, 364, 365, 373 and 251. To the Committee on Local Legislation No. 1.

H. B. 93. To the Committee on Commerce and Common Carriers

H. B.'s 372 and 293. To the Committee on Finance and Taxation

H. B. 208. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Collins (C), Sessions, Watkins, Dill, Owens (W) and Collins (W):

H. 74. To Regulate The Establishment and Operation Of Separate Accounts By Life Insurance Companies In Connection With Group Pension, Profit Sharing and Annuity Plans.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 74. To the Committee on Insurance

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Malone, Blanton and Snodgrass:

H. 51. To propose an amendment to the Constitution providing a means of adopting local amendments to the Constitution at local elections.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 51. To the Committee on Constitution and Constitutional Revision and Amendments

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Neville:

H. J. R. 46. Whereas the health of our beloved Governor is a matter which is near to the hearts and thoughts of all the people of the Sovereign State of Alabama; and

Whereas Alabamians of all faiths are singly and in groups offering prayers for her health and recovery; and

Whereas, we will be with her in spirit when she travels to Houston, Texas, for further medical attention; and

Whereas it seems fitting that a day be set apart for prayer for our beloved Governor so that Alabamians and others may join together in prayer in their churches, at their jobs, or in their homes; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That Friday, July 7, 1967, be designated as Statewide Day of Prayer for Governor Lurleen B. Wallace;

BE IT FURTHER RESOLVED That Alabamians of all faiths join together on that day, in offering prayers for Governor Lurleen B. Wallace and for her health and her recovery.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 46, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Albea (with substitute):

S. 14. To propose an amendment to the Constitution providing for the method of levying special taxes in the several counties, municipalities, school districts, and other special districts of this State.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Garrett (with substitute):

H. 80. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

The above Bill was read a second time at length as required by the Constitution.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dominick:

S. 109. Proposing an amendment to Section 33 of Article 4, Constitution of Alabama, providing for election by secret ballot of the speaker and speaker pro tem of the house, president pro tem of the senate and members of the legislative council, committee on examiners of public accounts and the state building commission.

The above Bill was read a second time at length as required by the Constitution.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mathews:

H. 226. To make an appropriation for the payment of expenses of the Legislature.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lolley (with substitute):

S. 48. To amend Title 51, Section 569, Code of Alabama, in relation to the license payable by photographers and photograph galleries.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Engel, McDermott and Pelham (with amendment):

S. 99. To authorize, provide for and regulate the reimbursement out of the state treasury of certain of the expenses incurred by judges of Alabama courts in attending and participating in the National College of State Trial Judges of Reno, Nevada; and to make a continuing appropriation therefor.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 105. To amend Section 1 of Act No. 208, Acts of Alabama, Special Session 1966, approved August 26, 1966, entitled "An Act To authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment

and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Pierce (with amendment):

S. 112. To create a Commission on Physical Fitness; to prescribe the powers, duties and authority of the commission and to provide for the selection, term, qualifications, powers, duties, authority and compensation of the members thereof; to provide for the appointment, duties, and compensation of an executive secretary and other employees of the commission.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 133. To amend Section 16, Act No. 576, Acts of Alabama 1959, as amended by Act No. 878, Acts of Alabama, 1961 Regular Session, which relates to the classification and fees charged for registration of vessels under the Water Safety Act.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper (with amendment):

S. 174. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development and contracts for the furnishing of fiscal or financial advice or services.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 187. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, in relation to the compensation and expenses of members of the board.

By Mr. Turner:

S. 189. To amend further Code of Alabama 1940, Title 45, Section 144 in relation to the allowance for feeding prisoners.

By Mr. Clark:

S. 203. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1967.

By Messrs. Clark and Cooper:

S. 204. To authorize the State Industrial Development Authority to sell and issue from time to time not exceeding \$5,000,000 principal amount of its bonds in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

By Messrs. Clark and Cooper:

S. 206. To amend Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama to reallocate the revenues derived from the tax authorized by said Act and to appropriate so much of said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$5,000,000.00 in aggregate principal amount.

By Mr. Morrow:

S. 218. To authorize the governing body of each county in this state which, during its then next preceding fiscal year, collected as much as or more than \$40,000 from the special tax at a rate not exceeding one-fourth of one per centum levied in the county under the provisions of Section 215 of the Constitution of Alabama for payment of any debt or liability created for the erection of necessary public buildings, bridges or roads, to sell and issue interest bearing warrants payable solely out of and in anticipation of the receipt by such county of its share of the gasoline excise taxes levied by Section 647 of the Code of Alabama of 1940, as amended, and by Act No. 674 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, and required by law to be distributed to that county; to authorize each such county to pledge for payment of the principal of and interest on the warrants so issued so much as may be necessary for that purpose of the receipts by it from the said gasoline excise taxes and to specify the priority of such pledges; to provide the purposes for which the proceeds from the sale of the said warrants may be used; to authorize each such county to sell and issue refunding warrants for the purpose of refunding the principal of outstanding warrants of the county together with the interest accrued thereon and any premium necessary to retire the warrants so refunded, whether such outstanding warrants were issued under this act or under any other law in effect at the time of the issuance thereof; to prohibit any

county while subject to this act from issuing warrants payable from any part of the proceeds from the said gasoline excise taxes except under the provisions of this act; to repeal Act No. 728 adopted at the 1953 Regular Session of the Legislature of Alabama; and to repeal all general, special and local laws to the extent of any conflict with the provisions hereof.

By Messrs. Turner, Torbert and Goodwyn:

S. 232. To make an additional appropriation to the State Board of Education for the purpose of purchasing Free Textbooks.

By Messrs. Goodwyn, Cooper, Turner, Carr, McCarley, Lolley, Engel, Albea, Bailes, Vacca, Giles, Folsom, Radney, Lindsey, McDermott, Nabors, Morrow, Clark, Stone, Givhan, Childs, Branyon, Skidmore, Pierce, Pelham and Gilmore:

S. 234. To provide for a long range study of public education in Alabama, creating the Alabama Education Study Commission, and making an appropriation therefor.

By Mr. Cooper:

S. 307. To revise and amend Act No. 65 of the Second Special Session of the Legislature, 1965, approved September 30, 1965.

By Messrs. Clark and Lolley:

S. 308. To authorize the director of the bureau of publicity and information to enter into certain contracts with and spend funds in support of the southern travel directors council.

By Messrs. Clark, Lolley and Branyon:

S. 309. To amend further Sections 660 and 663, Chapter 6, Title 2, Code of Alabama 1940, as amended, relating to the state soil conservation committee so as to change the name of the committee, the location of its office, and to provide further for the application of the provisions of this chapter.

By Mr. Givhan:

S. 324. To declare the public policy of the State of Alabama in regard to encouraging the education of all the school children of the state; to create as a body politic and corporate the Alabama Financial Assistance Commission; to provide for the membership of said Commission; to define the duties, powers and functions of said Commission; to authorize said Commission to make and pay grants of financial assistance from the funds of said Commission for the education of the school children of the state in private non-sectarian elementary and secondary schools in the state; to prescribe standards of eligibility for such financial assistance; to provide a procedure for making application for such financial assistance and for the approval or disapproval of same; to provide for judicial review of the actions of the Commission in the event of disapproval of an application for such financial assistance; to provide that any person who shall knowingly swear or affirm falsely to any matter or thing required by the terms of this Act shall be guilty of false swearing and to provide penalties therefor; to provide that any person accepting any payment authorized by this Act with knowledge that the child for whose benefit the payment is received was not actually a bona fide student at a private non-sectarian elementary or secondary school during the period for which payment is received, shall be guilty of a misdemeanor and prescribing penalties therefor; to create and establish in the state treasury the Alabama Financial Assistance Fund; and to repeal all laws or parts of laws in conflict with this Act.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Skidmore:

S. 319. To amend further Act No. 283, H. 561, Regular Session 1955, which provided for the establishment of a solicitor's fund for the solicitor of the sixth judicial circuit (Acts 1955, v. 1, p. 649).

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Folsom (with notice and proof) (with substitute):

S. 333. Relating to Cullman County; authorizing any bank situated in Cullman to open, establish, operate and maintain a branch bank, branch office, or other place of business at Cullman in said county.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cameron, Springer, Harris and McElhaney:

H. 83. To provide for transfers from the Juvenile Court to other courts, to set the salary of the Deputy Register of the court, and to provide for expenses for the Judge of said court when attending schools or seminars.

By Mr. Headley (with notice and proof):

H. 224. Relating to the office of the sheriff of Chilton County; providing further for the appointment, number, term, duties and compensation of the deputies of the sheriff, and repealing conflicting laws, including Act No. 673, H. 1026, Regular Session 1951 (Acts 1951, p. 1166); Act No. 501, H. 936, Regular Session 1953 (Acts 1953, p. 633); and Act No. 582, H. 963, Regular Session 1961 (Acts 1961, p. 688) giving the Act retroactive effect.

By Mr. Melton (with notice and proof):

H. 227. Relating to the Town of Evergreen in Conecuh County, Alabama; altering and extending the corporate limits of the municipality.

By Messrs. Drake, McDonald and Starnes (with notice and proof):

H. 228. To amend further Section 7 of Act No. 13, H. B. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County.

By Mr. Brassell:

H. 347. Relating to the Twenty-sixth Judicial Circuit, prescribing the powers and duties of any secretary or stenographer appointed by the district attorney of the circuit.

By Mr. Brassell (with notice and proof):

H. 349. To provide for the payment of expenses of the District Attorney for the Twenty-Sixth Judicial Circuit out of the County Treasury of Russell County.

By Messrs. Owen (Baldwin) and Brannan (with notice and proof):

H. 352. To provide for the relief of Mrs. Edna Godwin of Baldwin County, authorizing the court of county commissioners, board of revenue, or other like governing body of the county to appropriate county funds to compensate her for injuries received as a result of an accident in the courthouse in Bay Minette.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Pierce (with substitute):

S. 90. Relating to the treatment and handling of livestock in transit to market and in stockyards and auction barns; authorizing the Commissioner of Agriculture and Industries to regulate further the operation of livestock markets; making cruel and unnecessary abuse of livestock a misdemeanor and providing penalties for violations.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan and Adams:

S. 325. To amend Section 8 of Act No. 861, S. 14, Regular Session of the Legislature of 1951 (Acts of 1951, Vol. 2, p. 1496), approved September 12, 1951, which relates to the registration of cattle brands and the duty of livestock markets, dealers and slaughterers relative to keeping records of cattle brands.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 264. To amend further the Code of Alabama 1940, Title 37, Section 781, which relates to Boards of Adjustment.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 266. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

By Messrs. McDermott, Nabors and Giles:

S. 268. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 272. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

By Messrs. McDermott, Vacca, Bailes, Clark, Harris, Giles and Folsom:

S. 310. Proposing an amendment to Article XII, Section 225, as amended, of the Constitution of Alabama, in relation to indebtedness of incorporated municipalities.

The above Bill was read a second time at length as required by the Constitution.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Lybrand and Burgess:

H. 220. To create a board of trustees to manage and control Jacksonville State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Jacksonville State University of all supplies, funds, books, documents, records and other property or effects of such university.

By Messrs. Skidmore, Goodwyn, Childs, Albea, Leonard, Branyon, Bailes, Gilmore, Cooper, Folsom, Nabors, Hawkins, Dominick, Vacca, Pelham, Stone, Pierce, Lolley, McDermott, Morrow, Harris and Carr:

S. 334. To provide for establishment and operation of an Alabama Sports Hall of Fame Board, and to prescribe its powers and duties.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carr:

S. 317. To amend Section 4(g) and Section 4(j) of Act No. 574, Acts of 1965, approved August 26, 1965, entitled "An Act to provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended," by providing for a hearing deputy to conduct certain public hearings and by providing that by a two-thirds vote of the members of the Water Improvement Commission the time for submitting plans and executing plans may be accelerated.

By Mr. Hawkins:

S. 312. To amend Act No. 430, H. 327, Special Session 1966, which provides for the control of lysergic acid diethylamide (LSD-25) and other drug compounds (Acts Special Session 1966, p. 575).

By Mr. Cooper:

S. 338. Relating to public health; making further provisions respecting the regulation and control of the manufacture, distribution, delivery and possession of depressant and stimulant drugs; providing for enforcement of the Act and prescribing penalties.

By Mr. Carr:

S. 337. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage treatment and disposal facility within the State, but excluding certain plumbing within municipalities; to authorize the State Board of Health to adopt rules and regulations for administration of this Act; to authorize the State Board of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

By Mr. Cooper:

S. 328. To amend Act No. 586, H. 346, Regular Session 1957, an act further regulating the traffic in narcotic drugs (Acts, Regular Session 1957, v. 2, p. 823).

By Mr. Cooper:

S. 327. Making further provisions respecting the enforcement of laws relating to narcotic drugs and poisons, amending Code of Alabama 1940, Title 22, Sections 236, 237, 238, and 252.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dominick (with amendment):

S. 322. Making further provisions respecting the crime of abortion, amending Code of Alabama 1940, Title 14, Section 9, so as to provide for justified medical termination of pregnancies and to fix the punishment for criminal abortion and pretended criminal abortion.

Mr. Pelham, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pelham and McDermott:

S. 66. To amend further Section 38 of Title 8, Code of Alabama (1940) which provides for resident state fishing licenses.

By Messrs. Pelham and McDermott:

S. 67. To amend Section 41 of Title 8, Code of Alabama (1940) which provides the penalty for fishing without a license.

Mr. Pelham, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Torbert (with amendment):

S. 68. To amend Section 1 of Act No. 644, S. 328, approved September 16, 1953, Acts of Alabama, Regular Session, 1953, page 903, entitled, "An Act relating to fish and game; authorizing the use of certain species of the sunfish family for bait in the streams and waters in the State of Alabama."

Mr. Pelham, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pelham:

S. 306. To amend Title 8, Section 40, Code of Alabama 1940, which pertains to non-resident trip fishing licenses.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 28. Requesting the State Finance Director to secure a refund of Alabama's payment to the Association of State Fiscal Officers.

On motion of Mr. McCarley, said Resolution was then adopted by the Senate.

RESOLUTION

Messrs. Pelham, Lindsey and Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 35. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be an interim committee to make a comprehensive survey and study of the oil and gas laws of this state and the rules and regulations of the state oil and gas board governing the production and severance of oil and gas in this state. Such study shall include a study of all laws relative to the taxation of oil and gas and of the oil and gas industry. The purpose of this study shall be to determine whether present laws of this state encourage the fullest recovery and most advantageous utilization possible of the oil and gas resources of the state, while at the same time safeguarding the interests of all parties having rightful claims to such oil and gas and encouraging the further development and improvement of the oil and gas industry in this state; and if not, what changes are needed in Alabama laws to accomplish such ends. The committee shall make a report of its findings, conclusions, and recommendations to the two houses not later than the fifth legislative day of the 1969 regular session; whereupon the committee shall be dissolved. The committee shall be composed of two Senators, appointed by the President of the Senate, and three members of the House of Representatives, appointed by the Speaker. The members of the committee shall elect a chairman and a vice-chairman from among their number. The first meeting of the committee shall be held at such time and place as the President of the Senate prescribes and thereafter the committee shall meet on the call of the chairman.

BE IT FURTHER RESOLVED That the members of the committee shall be entitled to receive their regular legislative compensation and allowances for each day while in attendance of committee meetings, when not drawing their regular legislative pay; and such committee is authorized to employ such clerical and technical assistants, including advisers and consultants, as it may deem necessary. The compensation and allowances of the committee members, the compensation of employees of the committee and all expenses of the committee, not to exceed the sum of five thousand dollars (\$5000.00) altogether, shall be paid out of funds appropriated to the use of the Legislature, on warrants drawn by the state comptroller upon requisitions signed by the committee chairman.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 7. To apply only in counties having populations of not less than 96,000 nor more than 106,900; providing expense allowances for members of the county board of equalization payable from the general funds of the county.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING

The Bill:

S. 207. To authorize county governing bodies to pay expenses in defending lawsuits brought against county officials growing out of the performance of their official duties.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 207, to-wit:

AMENDMENT TO S. B. 207

In Section 1, strike out the first sentence and insert in lieu thereof the following: Any law to the contrary notwithstanding, the governing body of any county of the State of Alabama may, in its discretion, defray the costs of defending any lawsuit brought against any county official when such lawsuit is based upon and grows out of the performance by said official of any duty in connection with his office and does not in-

volve a wilful or wanton personal tort or a criminal offense committed by the official.

Which was adopted.

Yeas 24; Nay 1.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Albea	Engel	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Stone	
Childs	Harris	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper				—24

Nay: Mr. Skidmore —1

And said Bill, S. B. 207, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Albea	Engel	Jackson	Pelham	
Bailes	Folsom	Lolley	Pierce	
Branyon	Giles	McCarley	Skidmore	
Childs	Gilmore	Morrow	Stone	
Clark	Harris	Nabors	Vacca	
Cooper				—24

Nays: —0

RESOLUTION

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. WHEREAS the Armed Forces have provided for servicemen stationed in Vietnam to take rest and recuperative leave in Hawaii under certain circumstances and when conditions permit; and

WHEREAS some of our fighting men are able to arrange for their families or some member of the family to meet them in Hawaii during this week of rest and recuperation away from the gruelling ordeals of prolonged battle, which meetings and the prospects thereof are a tremendous boost in morale. Other servicemen, particularly those of the lower ranks, those with little or no income other than their service pay, and those whose homes are in the eastern part of the United States, find the cost of flying their dependents to Hawaii almost, if not completely, prohibitive; and

WHEREAS servicemen are permitted to travel at standby rates on commercial air lines, and, if their dependents traveling for the specific purpose of joining these servicemen for a week of rest and recuperation were permitted to travel on commercial airlines at the same standby rates as students, ministers and military personnel, the cost would be reduced by at least one-third; and

WHEREAS the administrative problem of identifying these dependents for the airlines could be solved by the issuance of DD Form

1580, "Military Standby Authorization for Commercial Air Travel," by the serviceman's organizational commander; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we memorialize the President of the United States and Secretary Robert McNamara of the Department of Defense to institute whatever administrative procedures may be expedient and to cause such arrangements to be made with the commercial airlines as will enable our fighting men to be reunited with their loved ones during this period of rest and recuperation, and thus to aid the cause for which they are giving their lives.

RESOLVED FURTHER That a copy of this resolution be sent to each member of Alabama's Congressional Delegation, and that they be urged to give their wholehearted support to the recommendations contained herein.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 14. To amend further the title and Sections 1, 2, 3 and 4 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, Page 549) as amended by Act 124, H. 223, Second Special Session 1965; (Acts of Alabama 1965, Page 172), and to amend Sections 6 and 7 of said Act entitled, "An act concerning gifts of securities, money and life insurance to minors and to make uniform the law with reference thereto", so as to provide for gifts of annuity contracts to minors under such act, to define "financial institution", to provide for the designation and appointment of a successor custodian, and for other purposes.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Albea	Engel	Jackson	Oden
Bailes	Folsom	Lolley	Pelham
Carr	Giles	McCarley	Skidmore
Childs	Gilmore	Morrow	Stone
Cooper	Givhan	Nabors	Vacca

—23

Nays:

—0

The Bill:

H. 15. Granting to minors not less than 15 years of age at nearest birthday the capacity to contract for annuities, endowments, life insurance and accident and sickness insurance on his own life or body or on the life or body of any person in whom such minor has an insurable interest; and providing that minors not less than 18 years of age at nearest birthday may give valid acquittance, discharge and release for payment or payments under life insurance endowment and annuity contracts and accident and sickness insurance contracts not exceeding \$3,000 in any one year made by any one company.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Albea	Dominick	Hawkins	O'Bannon	
Bailes	Engel	Jackson	Pelham	
Branyon	Folsom	Lolley	Skidmore	
Carr	Giles	McCarley	Stone	
Childs	Gilmore	Morrow	Vacca	—23

Nays:

—0

The Bill:

H. 16. To amend Code of Alabama 1940, Title 28 Sections 68 and 70 relating to guarantee fund and deposits of insurance companies.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Albea	Engel	Jackson	Oden	
Bailes	Folsom	Lindsey	Pelham	
Branyon	Giles	Lolley	Pierce	
Carr	Gilmore	McCarley	Skidmore	
Childs	Givhan	Morrow	Stone	
Cooper	Harris	Nabors	Vacca	—27

Nays:

—0

The Bill:

H. 18. To provide for the assignment of life insurance policies under certain circumstances even to those having no insurable interest.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	O'Bannon	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Skidmore	
Childs	Givhan	Morrow	Stone	
Cooper	Goodwyn	Nabors	Vacca	—25
Dominick	Harris			

Nays:

—0

The Bill:

H. 19. TO AMEND Section 1 of Act 347 of the General Acts of Alabama 1947, now codified as Title 28, Section 246, Code of Alabama (1940) to provide that a mutual aid association, benefit or industrial company, shall have a minimum paid-in capital of fifty thousand dollars plus an additional surplus of seventy-five thousand dollars, and for other purposes.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors
Albea	Dominick	Harris	O'Bannon
Bailes	Engel	Hawkins	Pelham
Branyon	Folsom	Lindsey	Pierce
Carr	Giles	Lolley	Skidmore
Childs	Gilmore	McCarley	Stone
Clark	Givhan	Morrow	Vacca

—27

Nays:

—0

The Bill:

H. 20. To amend Section 7 of Title 28 of the Code of Alabama (1940) to provide that the validity of a life insurance policy shall not be contested after it has been in force during the lifetime of the insured for a period of two years from its date of issue with certain exceptions; to provide a similar period after which the validity of a reinstated life insurance policy or contract may not be contested for fraud or misrepresentations; to define the scope of such incontestable provision; and to provide that no plea of misrepresentation or fraud in the application for a life insurance policy shall be filed in any court unless accompanied by a payment into court of all premiums paid on the policy being contested.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors
Albea	Dominick	Harris	O'Bannon
Bailes	Engel	Hawkins	Pelham
Branyon	Folsom	Lindsey	Skidmore
Carr	Giles	Lolley	Stone
Childs	Gilmore	McCarley	Vacca
Clark	Givhan	Morrow	

—26

Nays:

—0

RESOLUTION

Mr. Nabors offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That House Bills 14, 15, 16, 18, 19 and 20 heretofore passed by both Houses, be and the same shall be designated and known as the Lybrand, Lolley Bills.

On motion of Mr. Nabors, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 194. To amend Section 188, Section 204 and Section 207, Title 26, Code of Alabama 1940, as last amended, all relating to unemployment compensation.

was taken up.

Mr. Lolley moved that further consideration of the Bill, S. B. 194, be postponed until the Twenty-Fifth Legislative Day.

On motion of Mr. Goodwyn, the motion to postpone was laid on the table.

And said Bill, S. B. 194, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 5.

Yeas:

Messrs.:	Dominick	Harris	Oden	
Albea	Engel	Hawkins	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Giles	Morrow	Skidmore	
Childs	Gilmore	Nabors	Stone	
Clark	Givhan	O'Bannon	Vacca	
Cooper	Goodwyn			—25

Nays:

Messrs.:	Jackson	McCarley	Turner	
Carr	Lolley			—5

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 46. Designating Statewide Day of Prayer for Governor Lurleen B. Wallace.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 195. To amend Code of Alabama 1940, Title 26, Sections 279, 283, 289, 293 and 300, which relate to the Workmen's Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Morrow	Skidmore	
Branyon	Gilmore	Nabors	Stone	
Childs	Givhan	O'Bannon	Turner	
Cooper	Goodwyn	Oden	Vacca	
Dominick				—24

Nays: Messrs.: Carr, Lolley, McCarley —3

The Bill:

S. 196. To amend Section 240, Title 26, Code of Alabama 1940, as last amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Engel	Harris	O'Bannon
Albea	Folsom	Hawkins	Oden
Bailes	Giles	Jackson	Pelham
Branyon	Gilmore	McCarley	Pierce
Childs	Givhan	Morrow	Skidmore
Cooper	Goodwyn	Nabors	Vacca
Dominick			

—24

Nays: Messrs.: Carr, Lolley —2

The Bill:

S. 198. To amend Section 235, Title 26, Code of Alabama 1940, as last amended.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Dominick	Harris	Oden
Albea	Engel	Hawkins	Pelham
Bailes	Folsom	Jackson	Pierce
Branyon	Giles	McCarley	Skidmore
Carr	Gilmore	Morrow	Stone
Childs	Givhan	Nabors	Vacca
Cooper	Goodwyn	O'Bannon	

—26

Nay: Mr. Lolley —1

The Bill:

S. 290. To amend Code of Alabama 1940, Title 55, Section 110, which requires that public printing and binding shall be done under contracts.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	O'Bannon
Albea	Engel	Hawkins	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	Morrow	Turner
Childs	Goodwyn	Nabors	Vacca
Cooper			

—24

Nays: —0

The Bill:

S. 219. To prohibit the false personation of a peace officer of this state and to provide a penalty therefor.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 219, to-wit:

SUBSTITUTE FOR S. B. 219

**A BILL
TO BE ENTITLED
AN ACT**

To prohibit any person falsely personating a law enforcement or peace officer and to provide penalties therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person to falsely hold himself out or represent or claim himself to be a peace officer, or law enforcement officer, of this or any other state, territory or district, or of the United States or of any political sub-division of any of them and while so doing enforce any law or ordinance of the United States, of this state, or of any town or city of this state under color of such false personation, and upon conviction such person shall be punished by a fine of not less than One hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment.

Section 2. Any person who falsely holds himself out or represents or claims himself to be a peace officer or law enforcement officer of this or any other state, territory, or district, or of the United States, or of any political subdivision of any of them and while so falsely holding out, representing or claiming, commits any assault or battery, or injures any person, or damages or destroys the goods of another, or unlawfully imprisons another, or commits any felony against the person or goods of another shall be punished by imprisonment in the penitentiary for not less than one year nor more than ten years.

Section 3. The parts of this act are severable and any declaration if invalidity or unconstitutionality of any part by a court of competent jurisdiction shall not affect the part which remains.

Section 4. This act shall become law upon its passage and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	O'Bannon
Albea	Engel	Hawkins	Pelham
Bailes	Folsom	Jackson	Pierce
Branyon	Giles	Lolley	Skidmore
Carr	Gilmore	McCarley	Stone
Childs	Givhan	Morrow	Turner
Clark	Goodwyn	Nabors	Vacca
Cooper			

Nays:

—28

—0

And said Bill, S. B. 219, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Pelham	
Albea	Dominick	Jackson	Pierce	
Bailes	Engel	Lolley	Skidmore	
Branyon	Folsom	McCarley	Stone	
Carr	Giles	Morrow	Turner	
Childs	Gilmore	Nabors	Vacca	
Clark	Goodwyn	O'Bannon		—26

Nays:

—0

The Bill:

S. 161. To amend Section 2 of Act No. 391, S. 33, Regular Session 1955 (Acts 1955, p. 926) an act regulating the sale, possession, displaying, offering for sale and use of fireworks in Alabama, so as to declare certain fireworks and pyrotechnics to be contraband and to constitute a nuisance and to authorize and direct their confiscation and destruction.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Engel	Jackson	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	Morrow	Turner	
Childs	Goodwyn	Nabors	Vacca	
Cooper	Harris	O'Bannon		—26

Nays:

—0

The Bill:

S. 75. To propose an amendment to the Constitution of Alabama; establishing a game and fish fund in the State Treasury and requiring that certain monies be placed therein; to prohibit the diversion of any monies in said fund for any purposes other than the administration of the game and fish activities of the Department of Conservation and for the protection, propagation, preservation, investigation of game and fish and the public use of the game and fish resources of this State.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Pelham	
Albea	Engel	Hawkins	Pierce	
Bailes	Folsom	Jackson	Skidmore	
Branyon	Giles	McCarley	Stone	
Carr	Givhan	Morrow	Turner	
Childs	Goodwyn	Nabors	Vacca	
Cooper				—24

Nays:

—0

The Bill:

S. 158. To amend further Section 186 of Title 14, Code of Alabama 1940, which prescribes penalties for unlawful use, transportation, possession and sale of pistols.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Giles	Jackson	Pelham	
Albea	Gilmore	McCarley	Pierce	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Folsom				—24

Nays:

—0

RESOLUTION

Messrs. Goodwyn, Pierce and Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 38. WHEREAS Mrs. Jeff Beeland of Greenville and Mrs. Juanita Halstead of Montgomery, affectionately known as the "Flying Grandmothers," represented Alabama in the International All Women's Air Race, held May 24-26.

WHEREAS this race from Montreal, Canada to Miami, Florida which covered 1,450 nautical or 1,667 statute miles, was flown by Mrs. Beeland and Mrs. Halstead, pilot and co-pilot, respectively, of their plane, "The Angel Derby," in ten hours of flying time with stops in Hartford, Connecticut; Baltimore, Maryland; Winston Salem, North Carolina; and Macon, Georgia; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend Mrs. Beeland and Mrs. Halstead for their most creditable performance in placing ninth in this international air race and assure them of our pride in their accomplishment.

RESOLVED FURTHER That copies of this resolution be sent to Mrs. Beeland and Mrs. Halstead.

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO ADJOURN LOST

At 3:05 P. M., Mr. Cooper moved that the Senate adjourn until Friday, June 30, 1967, at 10 o'clock A. M., which motion was lost.

BILLS ON THIRD READING RESUMED

The Bill:

S. 244. Proposing an amendment to the Constitution of Alabama relating to the office of Commissioner of Agriculture and Industries.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 2.

Yeas:

Messrs.:	Dominick	Harris	Pelham	
Albea	Engel	Hawkins	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	Morrow	Stone	
Carr	Givhan	Nabors	Turner	
Childs	Goodwyn	O'Bannon	Vacca	
Cooper				—24

Nays: Messrs.: Folsom, McCarley —2

The Bill:

S. 242. To make further provisions respecting the organization of the State Board of Agriculture and Industries, to abolish the State Board of Agriculture and Industries as presently constituted under Title 2, Article 3 of Chapter 1, Code of Alabama 1940, as last amended, and to create and establish a new State Board of Agriculture and Industries, to prescribe the powers and duties of the new Board, to provide for its membership and to provide for the method of the appointment of its members and to prescribe the qualifications of its members, their tenure and compensation, and to provide for the appointment of the Commissioner of Agriculture and Industries and an Assistant Commissioner and prescribe the powers and duties of the Commissioner and Assistant Commissioner, and to repeal Sections 25, 26 and 27 of Title 2, Code of Alabama 1940.

was taken up.

The Standing Committee on Agriculture reported the following amendment to the Bill, S. B. 242, to-wit:

S. B. 242

Amend Senate Bill No. 242 as follows:

In the first sentence of the first paragraph of Section 1 on Page 1 of said bill strike out the word and figures "ten (10)" and insert in lieu thereof the word and figures "twelve (12)".

In the second paragraph of Section 1 on Page 1 of the bill immediately following the first semicolon (;) strike out the word and figure "eight (8)" and insert in lieu thereof the word and figures "ten (10)".

On Page 2 of the bill immediately after the third paragraph which paragraph ends with the words "Alabama Feed Association," insert the following paragraph:

"In order that the consuming public shall have representation on the State Board of Agriculture and Industries there shall be two (2) additional members appointed by the Governor from the public at large to be designated as consumer members, and said members shall also serve for a term of eight (8) years each; provided, however, that to prevent the terms of said members from expiring simultaneously one of said members shall be appointed for a four (4) year term and the other member shall be appointed for a six (6) year term which terms shall be designated by the Governor."

On Page 3 of the bill in the last paragraph of Section 1 strike out the word and figure "six (6)" and insert in lieu thereof the word and figure "seven (7)".

Which was adopted.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Giles	Jackson	Pelham
Albea	Gilmore	Lolley	Pierce
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Turner
Clark	Hawkins	O'Bannon	Vacca

—23

Nays: Messrs.: Bailes, Dominick

—2

And said Bill, S. B. 242, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pierce
Albea	Giles	Lolley	Skidmore
Bailes	Gilmore	Morrow	Stone
Branyon	Givhan	Nabors	Turner
Childs	Goodwyn	O'Bannon	Vacca
Cooper	Hawkins	Pelham	

—22

Nays:

—0

The Bill:

S. 245. To amend Title 17, Sections 65, 66 and 68, Code of Alabama 1940, which relate to elections.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Nabors
Bailes	Engel	Hawkins	O'Bannon
Branyon	Giles	Jackson	Pierce
Childs	Gilmore	Lolley	Turner
Clark	Givhan	McCarley	Vacca
Cooper	Goodwyn	Morrow	

—22

Nays:

—0

The Bill:

S. 243. To amend Title 2, Sections 14, 16 and 17, Code of Alabama 1940, which relate to the office of Commissioner of Agriculture and Industries.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	O'Bannon	
Albea	Dominick	Jackson	Pelham	
Bailes	Engel	Lolley	Pierce	
Branyon	Giles	McCarley	Skidmore	
Carr	Gilmore	Morrow	Stone	
Childs	Givhan	Nabors	Turner	
Clark	Harris			—25

Nays: —0

The Bill:

S. 239. To propose and provide for an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding \$6,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 2.

Yeas:

Messrs.:	Engel	Hawkins	Nabors	
Albea	Folsom	Jackson	Oden	
Branyon	Giles	Lolley	Pelham	
Carr	Gilmore	McCarley	Skidmore	
Childs	Givhan	Morrow	Stone	
Clark	Goodwyn			—21

Nays: Messrs.: Harris, Pierce —2

The Bill:

S. 240. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in S. B. 239 adopted at the 1967 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvements by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding

\$6,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$6,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1967 Docks Amendment (and the 1957 Docks Amendment) from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1967 Docks Amendment or said 1957 Docks Amendment.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	O'Bannon
Albea	Folsom	Jackson	Oden
Branyon	Giles	Lindsey	Pelham
Carr	Gilmore	Lolley	Pierce
Childs	Givhan	McCarley	Skidmore
Clark	Goodwyn	Morrow	Stone
Cooper	Harris	Nabors	Vacca

—27

Nays:

—0

The Bill:

S. 134. To amend Section 3 of Act No. 712, H. 48, Regular Session 1951 (Acts 1951, p. 1250), an Act to create a State Bureau of Publicity and Information so as to provide further for the composition of the advisory board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	O'Bannon	
Albea	Giles	Lindsey	Oden	
Bailes	Gilmore	Lolley	Pelham	
Branyon	Givhan	McCarley	Skidmore	
Carr	Harris	Morrow	Turner	
Childs	Hawkins	Nabors	Vacca	
Clark				—24

Nays: —0

The Bill:

S. 70. To provide a program for the protection of forest trees from insect infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for co-operative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund".

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	O'Bannon	
Albea	Dominick	Jackson	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Gilmore	Lolley	Skidmore	
Carr	Givhan	McCarley	Stone	
Childs	Harris	Nabors	Vacca	
Clark				—24

Nays: —0

The Bill:

S. 71. To amend Title 8, Section 206, Code of Alabama 1940, which pertains to the police powers of the employees of the Department of Conservation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Clark	Hawkins	O'Bannon	
Albea	Cooper	Jackson	Pelham	
Bailes	Dominick	Lindsey	Pierce	
Branyon	Folsom	Lolley	Skidmore	
Carr	Gilmore	McCarley	Stone	
Childs	Givhan	Nabors		—22

Nays: —0

The Bill:

S. 73. To make it unlawful for any person to set certain type fires when an emergency drought condition exists when so declared by the Director of Conservation with the approval of the Governor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Albea	Folsom	Jackson	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Skidmore
Carr	Givhan	Morrow	Turner
Cooper	Harris	Nabors	Vacca

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 132. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 155. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

S. 156. To repeal Act No. 99, S. 79, Special Session 1967, approved April 7, 1967, relating to the Sixth Judicial Circuit.

Also:

S. 188. Relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment.

Also:

S. 208. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

Also:

S. 224. To apply only in counties having populations of not less than 14,900 nor more than 15,000 according to the most recent federal decennial census, providing clerk hire allowances for certain county officers.

Also:

S. 231. To alter, rearrange and extend the boundary lines and corporate limits of the town of Rutledge in Crenshaw County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Brassell, Higginbotham and Crawford:

H. J. R. 49. WHEREAS the death of Peter Alexander Brannon, director of the Alabama Department of Archives and History, ended a long and illustrious career of a man to whom this State is eternally indebted; and

WHEREAS Dr. Brannon's interest in and devotion to the history of Alabama and this region led him to the accumulation and preservation of a wealth of material which might otherwise have been unavailable or lost to future generations. Associated with the Archives department from its founding in 1911, Dr. Brannon served as clerk, chief clerk, military archivist, acting director, and as director for twelve years immediately preceding his death on January 5, 1967, at the age of eighty-four. During this time, he wrote numerous books, articles and papers on a variety of subjects, including almost nine hundred newspaper columns for the Montgomery Advertiser. He was a recognized authority on anthropology and Indianology and was considered a veritable encyclopedia of knowledge with regard to Alabama history about which he was frequently called from many sources for information; and

WHEREAS Dr. Brannon was a founder of the Alabama Anthropological Society, past president and member of the executive board of the Alabama Historical Society, and had been honored by numerous organizations related to historical research. He was awarded the degree of Doctor of Laws by his alma mater, Auburn University; and

WHEREAS Dr. Brannon's inquiring and astute mind, coupled with keen perception and a rare sense of values so necessary in a position requiring great selectivity, made his services as an archivist particularly valuable. He was a gentle and scholarly man whose warm and abiding loyalty led to enduring friendships; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we acknowledge with grateful appreciation the many contributions made by Dr. Brannon to the State of Alabama and for his untiring efforts in the preservation of its history. Alabama has suffered a distinct loss in his passing and we feel a deep sense of personal loss. We extend our heartfelt sympathy to his widow, Mrs. Frances Frazer Brannon, and to his son, Mr. Stephen F. Brannon, to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 49, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 184. Relating to civil remedies and procedure; to provide for enjoining the unauthorized or unlawful practice of professions, occupations, or callings, and providing for retrospective operation of the Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Oden	
Albea	Engel	Lindsey	Pelham	
Bailes	Folsom	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Goodwyn	Morrow	Turner	
Childs	Harris	Nabors	Vacca	
Clark	Hawkins	O'Bannon		—26

Nays:

—0

RESOLUTION

Messrs. Morrow, Childs, Hawkins, Gilmore, Dominick, Vacca, Bailes and Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. RESOLVED, That when the two houses adjourn today, June 29, they adjourn to meet again on Tuesday, July 11, the House at 12:00 noon and the Senate at 2:00 p. m., and the recess shall be taken by the members without pay.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

You Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 132. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 155. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

S. 156. To repeal Act No. 99, S. 79, Special Session 1967, approved April 7, 1967, relating to the Sixth Judicial Circuit.

Also:

S. 188. Relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment.

Also:

S. 208. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

Also:

S. 224. To apply only in counties having populations of not less than 14,900 nor more than 15,000 according to the most recent federal decennial census, providing clerk hire allowances for certain county officers.

Also:

S. 231. To alter, rearrange and extend the boundary lines and corporate limits of the town of Rutledge in Crenshaw County.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 159. To amend Act No. 674, Regular Session 1965 "To provide for the appointment, removal, and discharge of a legal representative to manage public assistance payments for certain public assistance applicants or recipients, and to prescribe the duties of such legal representative" so as to dispense with the notice of hearing under certain conditions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Oden
Albea	Giles	Lindsey	Pelham
Bailes	Gilmore	Lolley	Pierce
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	Nabors	Stone
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

S. 8. To authorize and regulate savings and loan deposits in two names, and to permit any payment thereof, and any interest and dividends thereon, to either party whether the other be living or dead, and to regulate savings and loan deposits made by any person in trust

for another and to permit payment thereof to the person for whom such deposit was made, whether adult or minor, upon the death of the trustee, when no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said savings and loan association.

was taken up.

The Standing Committee on Banking reported the following amendment to the Bill, S. B. 8, to-wit:

AMENDMENT TO S. B. 8

Amend S. B. 8 by striking Section 2 in its entirety and inserting in lieu thereof the following:

Section 2. When a deposit has been made, or shall hereafter be made, in any savings and loan association transacting business in this State by any person in trust for another and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said savings and loan association, in the event of the death of the trustee, such deposit, or any part thereof, together with any dividends or interest thereon, shall be construed as belonging to the beneficiary of the trust and may be paid to such person, whether a minor or adult, and the receipt or acquittance of such person shall fully relieve and release said savings and loan association from all liability.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Nabors
Albea	Engel	Hawkins	O'Bannon
Bailes	Giles	Lindsey	Pelham
Branyon	Gilmore	Lolley	Pierce
Carr	Givhan	McCarley	Skidmore
Childs	Goodwyn	Morrow	Vacca
Cooper			

—24

Nays:

—0

And said Bill, S. B. 8, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	O'Bannon
Albea	Dominick	Harris	Pelham
Bailes	Engel	Hawkins	Pierce
Branyon	Folsom	Lindsey	Skidmore
Carr	Giles	Lolley	Stone
Childs	Gilmore	Morrow	Turner
Clark	Givhan	Nabors	Vacca

—27

Nays:

—0

The Bill:

S. 96. To amend Section 11 of Act No. 100 (S. 68), Regular Session of the Legislature of 1959, approved June 24, 1959, General Acts of 1959, an act relating to the Board of Dental Examiners of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Nabors	
Albea	Dominick	Hawkins	O'Bannon	
Bailes	Folsom	Lindsey	Pierce	
Carr	Giles	Lolley	Skidmore	
Childs	Givhan	McCarley	Vacca	—19

Nays:

—0

The Bill:

S. 9. To amend Code of Alabama 1940, Title 36, Section 15, which relates to drivers of motor vehicles following other vehicles, so as to increase the distance which the driver of a truck must maintain between his truck and the truck which he is following.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	O'Bannon	
Albea	Dominick	Lindsey	Oden	
Bailes	Folsom	Lolley	Pierce	
Carr	Giles	McCarley	Skidmore	
Childs	Givhan	Nabors	Vacca	—19

Nays:

—0

The Bill:

S. 20. Relating to driver training schools, providing for their licensing and licensing of an instructor of a school and qualifications, insurance requirements, bond requirements, the renewal of their licenses, determining the registration fees and disposition of the moneys received, and providing for penalties for violation thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Albea	Folsom	Lindsey	Oden	
Bailes	Giles	Lolley	Pierce	
Carr	Givhan	McCarley	Skidmore	
Childs	Harris	Nabors	Vacca	—20
Cooper				

Nays:

—0

The Bill:

S. 205. To amend Title 5, Section 255 of the Code of Alabama of 1940 so as to provide for the pledging or hypothecation of accounts held jointly in Savings and Loan Associations by one of such joint owners.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Nabors	
Albea	Engel	Hawkins	O'Bannon	
Bailes	Folsom	Lindsey	Oden	
Carr	Giles	Lolley	Pierce	
Childs	Givhan	McCarley	Skidmore	—19

Nays:

—0

The Bill:

S. 167. To control, eradicate and prevent the spread of hog cholera disease among swine by authorizing the State Board of Agriculture and Industries to adopt rules and regulations governing the manufacture, sale, distribution and use of all products used for immunization, treatment and protection of swine from such disease; and to prescribe a penalty for violations of this Act.

was taken up.

Mr. Givhan offered the following amendment to the Bill, S. B. 167, to-wit:

AMENDMENT TO S. B. 167

Amend Section 1 of Senate Bill No. 167 by adding the words "and Industries" immediately following the word "Agriculture" where said word appears in the second sentence of Section 1 of said Bill.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	O'Bannon	
Albea	Engel	Hawkins	Oden	
Bailes	Folsom	Jackson	Pelham	
Branyon	Giles	Lindsey	Pierce	
Carr	Gilmore	Lolley	Skidmore	
Childs	Givhan	McCarley	Stone	
Clark	Goodwyn	Nabors	Vacca	—28
Cooper				

Nays:

—0

And said Bill, S. B. 167, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Albea	Engel	Jackson	Oden
Bailes	Folsom	Lindsey	Pelham
Branyon	Giles	Lolley	Pierce
Carr	Gilmore	McCarley	Skidmore
Clark	Givhan	Morrow	Stone
Cooper	Harris	Nabors	Vacca

—27

Nays:

—0

RESOLUTIONS

Mr. Harris offered the following Senate Resolution, to-wit:

S. R. 40. RESOLVED BY THE SENATE, That the President of the Senate shall not certify per diem compensation on expenses as due to members of the Senate on any day the Senate is not sitting during the recess terminating on Tuesday, July 11.

Which was read and referred to the Standing Committee on Rules.

The Rules Committee reported the following Senate Joint Resolution, to-wit:

S. J. R. 41. RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the Senate adjourns today it adjourns to meet again on Friday, June 30, and when the House adjourns today it adjourns to meet again on Tuesday, July 11, and when the Senate adjourns on Friday, June 30, it adjourns to meet again on Tuesday, July 11. During the interim 10 days, July 1 to July 10, the Legislature shall be in recess without pay except the monthly allowance provided for by Resolution No. 4 adopted in the First Special Session of 1967.

Mr. Dominick offered the following substitute for the Resolution, to-wit:

SUBSTITUTE FOR S. J. R. 41

RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the Senate adjourns today it adjourns to meet again on Tuesday, July 11, and when the House adjourns today it adjourns to meet again on Tuesday, July 11. During the interim 10 days, June 30 to July 10, the Legislature shall be in recess without pay except the monthly allowance provided for by Resolution No. 4 adopted in the First Special Session of 1967.

On motion of Mr. Goodwyn, said substitute was laid on the table.

And said Resolution, S. J. R. 41, was then adopted by the Senate.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Cooper	Givhan	Nabors
Albea	Engel	Goodwyn	Oden
Branyon	Folsom	Hawkins	Skidmore
Childs	Giles	Jackson	Stone
Clark	Gilmore	Lolley	Vacca

—19

Nays:

Messrs.:	Dominick	McCarley	O'Bannon	
Bailes	Harris	Morrow	Pierce	
Carr	Lindsey			--9

ADJOURNMENT

At 6:20 P. M., Mr. Cooper moved that the Senate adjourn until Friday, June 30, 1967, at 10 o'clock A. M.

Mr. McCarley moved as a substitute motion that the Senate adjourn until Friday, June 30, 1967, at 12:01 A. M., which motion was lost.

Yeas 13; Nays 14.

Yeas:

Messrs.:	Childs	Jackson	Morrow	
Bailes	Folsom	Lindsey	O'Bannon	
Branyon	Givhan	McCarley	Pierce	
Carr	Harris			--13

Nays:

Messrs.:	Engel	Hawkins	Skidmore	
Clark	Giles	Lolley	Stone	
Cooper	Gilmore	Nabors	Vacca	
Dominick	Goodwyn	Oden		--14

Mr. McCarley then moved as a substitute motion that the Senate adjourn until Friday, June 30, 1967, at 12:30 A. M., which motion was lost.

Yeas 11; Nays 16.

Yeas:

Messrs.:	Childs	Lindsey	O'Bannon	
Bailes	Dominick	McCarley	Pierce	
Branyon	Harris	Morrow	Vacca	
				--11

Nays:

Messrs.:	Folsom	Goodwyn	Nabors	
Carr	Giles	Hawkins	Oden	
Clark	Gilmore	Jackson	Skidmore	
Cooper	Givhan	Lolley	Stone	
Engel				--16

The question then recurred on the motion of Mr. Cooper, and at 6:30 P. M., in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Friday, June 30, 1967, at 10 o'clock A. M.

Yeas 19; Nays 5.

Yeas:

Messrs.:	Cooper	Givhan	Nabors	
Bailes	Engel	Hawkins	Oden	
Branyon	Folsom	Jackson	Skidmore	
Childs	Giles	Lindsey	Stone	
Clark	Gilmore	Lolley	Vacca	
				--19

Nays:

Messrs.:	McCarley	O'Bannon	Pierce	
Dominick	Morrow			--5

SIXTEENTH LEGISLATIVE DAY

FRIDAY, JUNE 30, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend John Vickers, Minister, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Harris	O'Bannon
Bailes	Engel	Jackson	Oden
Branyon	Folsom	Lindsey	Pierce
Carr	Giles	Lolley	Radney
Clark	Gilmore	McCarley	Skidmore
Cooper	Goodwyn	Nabors	Stone

—23

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fifteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Childs, Adams, Givhan, Albea, Hawkins, McDermott, Leonard, Morrow, Torbert, Vacca, Pelham and Turner for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Pierce and Goodwyn:

S. 372. To provide for the distribution in any county having a population as great as 120,000 and not exceeding 200,000, according to the then next preceding federal decennial census, of that portion of the State Gasoline Excise Tax allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 373. To amend Title 8, Section 183, Code of Alabama 1940, which pertains to the State Park Fund.

Committee on Forestry and Conservation.

By Mr. Carr:

S. 374. To provide for the operation of all state parks, monuments and historical sites and parks division facilities by employees of the department of conservation, division of state parks, monuments and historical sites under certain conditions.

Committee on Forestry and Conservation.

By Mr. Stone:

S. 375. To make an appropriation to the Agriculture Center Board for each of the two fiscal years ending September 30, 1968 and September 30, 1969, for the purpose of aiding counties and municipalities in constructing and equipping facilities suitable for housing livestock shows, agricultural and industrial displays and other agricultural uses and purposes consistent with the betterment and advancement of agriculture.

Committee on Finance and Taxation.

By Mr. Clark:

S. 376. To amend further Code of Alabama 1940, Title 5, Section 81, in relation to the cash reserve requirements of state-chartered banks.

Committee on Banking.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Burgreen (with notice and proof):

H. 253. To amend Section 1 of Act No. 596, H. 1087, approved August 29, 1961 (Acts 1961, V. I, p. 708), an Act entitled "An Act to authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk," so as to further fix such compensation.

By Mr. Burgreen (with notice and proof):

H. 254. To fix the compensation of the clerk appointed by the sheriff of Limestone County.

By Mr. Neville:

H. 359. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

By Mr. Neville:

H. 184. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Mr. Brassell:

H. 348. To apply only in counties in the state having a population of not less than 46,000 nor more than 46,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Mr. Clark:

S. 362. To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

By Mr. Burgreen (with notice and proof):

H. 252. To amend further Section 1 of Act No. 204, H. B. 544, approved September 30, 1959 (Acts 1959, v. 1, p. 738), an act fixing and providing for the payment of the compensation of clerks and assistants of certain officers of Limestone County.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Folsom, Childs, Skidmore, McCarley and Harris:

S. 315. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

By Messrs. Goodwyn and Pierce:

S. 235. Relating to occupational license taxes payable by itinerant piano tuners.

By Messrs. Skidmore and Lindsey:

S. 321. To amend Code of Alabama 1940, Title 7, Section 165, relating to court costs in actions for declaratory judgments, so as to provide further for the assessment of attorneys' fees in certain cases involving policies of casualty insurance.

By Mr. Harris:

S. 364. To amend Code of Alabama 1940, Title 7, Sections 727, 728, 729, 735, 737 and 739 for the purpose of regulating further the period in which real estate or any interest therein, which has been sold under the power of sale in a deed of trust or mortgage, may be redeemed.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Headley (with notice and proof):

H. 362. Relating to law enforcement in Chilton County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 364. To amend further Act No. 32, H. 162, Regular Session 1947, an act establishing a law and equity court for Colbert County, in relation to the duty of the clerk of the court to make minute entries of judgments in misdemeanor cases.

RESOLUTION

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 42. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Sixteenth Legislative Day only: All local bills and all general bills with local application as they appear on the Calendar.

On motion of Mr. Clark, said Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 292. To apply only in all counties of this state having not less than 34,000 nor more than 35,500 population according to the last or any subsequent federal decennial census, prohibiting the taking, catching, capturing or killing game or non-game fish by use of a gill net in public waters in such counties.

was taken up.

Mr. Radney offered the following amendment to the Bill, S. B. 292, to-wit:

AMENDMENT TO S. B. 292

In the caption and also in Section 1 of the bill insert after the words "gill net" the words "or a trammel net"

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors	
Bailes	Engel	Harris	Oden	
Branyon	Folsom	Lindsey	Radney	
Carr	Giles	Lolley	Stone	
Clark	Gilmore	McCarley		—18

—0

Nays:

And said Bill, S. B. 292, as thus amended, was then read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors	
Bailes	Engel	Harris	Oden	
Branyon	Folsom	Lindsey	Radney	
Carr	Giles	Lolley	Stone	
Clark	Gilmore	McCarley		—18

—0

Nays:

The Bill:

H. 228. To amend further Section 7 of Act No. 13, H. B. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Oden	
Bailes	Gilmore	Lolley	Pierce	
Branyon	Goodwyn	McCarley	Radney	
Carr	Harris	Nabors	Stone	
Clark	Jackson	O'Bannon		—18

—0

Nays:

The Bill:

S. 333. Relating to Cullman County; authorizing any bank situated in Cullman to open, establish, operate and maintain a branch bank, branch office, or other place of business at Cullman in said county.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 333, to-wit:

SUBSTITUTE TO S. B. 333

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County authorizing any bank situated in the City of Cullman, or having an authorized place of business therein, to

open, establish, operate and maintain a branch bank, branch office, or additional place of business in the City of Cullman, in said county.

Be It Enacted by the Legislature of Alabama:

Section I. When not prohibited by its charter or by-laws and approved by the appropriate authority having jurisdiction of its banking operations, any bank situated in the City of Cullman or having an authorized place of business therein shall be authorized to open, establish, operate and maintain in the City of Cullman in said county, a branch bank, branch office, or additional place of business for the receipt of deposits, payment of checks, and conducting a general banking business.

Section II. All laws or parts of laws which conflict with this Act are repealed.

Section III. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Bailes	Folsom	Lolley	Radney	
Carr	Gilmore	Nabors	Skidmore	
Clark	Harris	O'Bannon	Stone	
Cooper	Jackson	Oden		—18

Nays: —0

And said Bill, S. B. 333, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 18; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce	
Bailes	Folsom	McCarley	Radney	
Carr	Gilmore	Nabors	Skidmore	
Clark	Harris	O'Bannon	Stone	
Cooper	Jackson	Oden		—18

Nays: —0

The Bill:

H. 347. Relating to the Twenty-sixth Judicial Circuit, prescribing the powers and duties of any secretary or stenographer appointed by the district attorney of the circuit.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Bailes	Giles	Lindsey	Oden	
Branyon	Gilmore	Lolley	Pierce	
Carr	Goodwyn	McCarley	Stone	
Clark	Harris	Nabors		—18

Nays: —0

The Bill:

H. 349. To provide for the payment of expenses of the District Attorney for the Twenty-Sixth Judicial Circuit out of the County Treasury of Russell County.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Oden	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Clark	Harris	O'Bannon		—18

Nays: —0

The Bill:

H. 352. To provide for the relief of Mrs. Edna Godwin of Baldwin County, authorizing the court of county commissioners, board of revenue, or other like governing body of the county to appropriate county funds to compensate her for injuries received as a result of an accident in the courthouse in Bay Minette.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Branyon	Goodwyn	McCarley	Radney	
Carr	Harris	Nabors	Skidmore	
Cooper	Jackson	O'Bannon	Stone	
Engel	Lindsey	Oden		—18

Nays: —0

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 292. To apply only in all counties of this state having not less than 34,000 nor more than 35,500 population according to the last or any subsequent federal decennial census, prohibiting the taking, catching, capturing or killing game or non-game fish by use of a gill net or a trammel net in public waters in such counties.

LELAND CHILDS,
Chairman.

BILLS ON THIRD READING RESUMED

The Bill:

S. 334. To provide for establishment and operation of an Alabama Sports Hall of Fame Board, and to prescribe its powers and duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwyn	Nabors
Bailes	Dominick	Harris	O'Bannon
Branyon	Folsom	Lindsey	Pierce
Carr	Giles	Lolley	Skidmore
Clark	Gilmore	McCarley	Stone

—19

Nays:

—0

RESOLUTION

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 43. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Sixteenth Legislative Day only:

S. B. 179, Page 3

S. B. 180, Page 4

S. B. 177, Page 6

S. B. 178, Page 6

S. B. 338, Page 29

S. B. 328, Page 29

S. B. 327, Page 30

Mr. Bailes offered the following amendment to the Resolution, S. R. 43, to-wit:

AMENDMENT TO S. R. 43

Strike out the words for the Sixteenth Legislative Day only.

On motion of Mr. Cooper, said amendment was laid on the table.

Mr. Bailes then offered the following amendment to the Resolution, S. R. 43, to-wit:

AMENDMENT FOR RULES COMMITTEE

Report Number S. R. 43 June 30, 1967.

Amend item 7 by placing S. B. Number 327 page 30 as item number 1.

RESOLUTION

Mr. Carr offered the following Senate Joint Resolution, to-wit:

S. J. R. 44. WHEREAS Mr. Lee Taylor has on this date, June 30th, established a new world's speed record on water by driving his jet propelled boat at a speed in excess of 285 miles per hour on Guntersville Lake; and

WHEREAS the world's speed record for propeller driven boats had already been established on Lake Guntersville, which is acclaimed by sportsmen who constitute the ranks of professionals in the field of boat racing as the finest racing waters in the world; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend Mr. Taylor upon his accomplishment and extend to him our heartiest congratulations in establishing this fantastic record at Lake Guntersville, the boat racing capitol of the world.

On motion of Mr. Carr, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. R. 43

The Senate proceeded to further consideration of the Resolution, S. R. 43. The question was on the amendment offered by Mr. Bailes.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolution and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 21. Delivered to the Governor June 29, 1967, at 12:25 P. M.

S. B. 42. Delivered to the Governor June 29, 1967, at 12:25 P. M.

S. B. 7. Delivered to the Governor June 29, 1967, at 1:25 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 2:35 P. M., on motion of Mr. McCarley, in accordance with Joint Resolution heretofore adopted by the Senate, and pending further consideration of the Resolution, S. R. 43, the Senate adjourned until Tuesday, July 11, 1967, at 2 o'clock P. M.

SEVENTEENTH LEGISLATIVE DAY

TUESDAY, JULY 11, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend D. K. Christenberry, Minister, Normandale Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Sixteenth Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 190. To make an appropriation for the payment of expenses of the Legislature.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 41. Relative to adjournment of the two Houses until July 11, 1967.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 190. To make an appropriation for the payment of expenses of the Legislature.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Branyon:

S. 377. Relating to Fayette County: To alter and rearrange the boundaries of the City of Winfield so as to reduce the corporate limits and exclude certain territory which lies in Fayette County from the city.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Fayette County: To alter and rearrange the boundaries of the City of Winfield so as to reduce the corporate limits and exclude certain territory which lies in Fayette County from the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Winfield are hereby altered and rearranged so as to reduce the corporate limits of the city and exclude from the incorporated territory presently lying within the boundaries and corporate limits of the city the following described area which lies in Fayette County to-wit:

The NW¼ of the NW¼ of Section 22, Township 13, Range 12 West, being forty acres more or less.

Section 2. That part of Act No. 104, H. 135, Special Session 1966, and all other laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1967.

JACK BLACK.

Sworn to and subscribed before me July 7, 1967.

MARILYN S. McEACHERN,
Notary Public.

By Messrs. Skidmore, Radney and Givhan:

S. 378. Relating to absentee voting in primary, general, special and municipal elections; revising Act No. 424, H. 351 of the 1949 Regular Session, so as to incorporate other presently effective absentee voting laws into said Act No. 424 of the 1949 Regular Session, as amended, to eliminate therefrom the requirement for registering as an absentee voter, to extend the privilege of casting absentee ballots to additional qualified electors, and to clarify certain provisions of said act relative to applications for, the casting of, and the handling of absentee ballots, and the duties and compensation of the register, or person appointed in his stead to handle absentee ballots when the register is disqualified; amending Sections 2, 4, 5, 6, 7, 9, 12, 14, 15, 16 and 17 and repealing Section 10 of said act, and also repealing Act No. 174, H. 51, of the 1961 Special Session, Act No. 183, H. 236 of the First Special Session of 1964 and Act No. 795, H. 664 of the 1965 Regular Session.

Committee on Privileges and Elections.

By Mr. Nabors:

S. 379. To alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next special or regular session of the Legislature of the State of Alabama, the undersigned will introduce a Bill in the Legislature as follows:

An act to alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Gadsden, in Etowah County, Alabama, are hereby altered, rearranged and changed so as to include within the corporate limits of said City all of the following described real estate located in Etowah County, Alabama, and described as follows, viz:

Lots one (1), Two (2), Three (3), Five (5), Eleven (11), Twelve (12), Thirteen (13), and Fifteen (15) in Merit Hills Estates, as recorded in Plat Book "G", Page 313 in the Office of the Judge of Probate of Etowah County, Alabama, and lying and being in Etowah County, Alabama.

Section 2. All laws or parts of laws, both general, special or local in conflict with this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon the passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared Leo Driskell, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the Bill to be enacted, which notice was printed in The Gadsden Times in its regularly circulated editions on June 3, 10, 17, and June 24, 1967, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the date shown above.

Subscribed and sworn to by me on this, the 10th day of July, 1967.

LEO DRISKELL.

Subscribed and sworn to before me on this the 10th day of July, 1967.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

By Mr. Torbert:

S. 380. To provide for performance of the duties of governor when the governor is disabled.

Committee on Judiciary.

By Mr. Turner:

S. 381. To amend Code of Alabama 1940, Title 46, Sections 195 and 205, relating to the state board of optometry, the renewal of licenses by optometrists, and the use of the proceeds of license or registration fees.

Committee on Finance and Taxation.

By Mr. Turner:

S. 382. To amend Title 51, Section 597, Code of Alabama 1940, Recompiled 1958, which provides for a license tax on street fairs or carnivals.

Committee on Finance and Taxation.

By Mr. Lolley:

S. 383. To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

LEGAL

Notice is hereby given that during the regular session of the 1967 Legislature, there will be introduced the following bill:

A BILL TO BE ENTITLED AN ACT

To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama,

Be It Enacted by the Legislature of Alabama:

Section One: The boundaries and corporate limits of the City of Union Springs in Bullock County, Alabama, are hereby altered, extended, rearranged and re-designed so as to include within the corporate limits of said municipality all of the land and territory lying within the following described boundaries and to exclude all territory lying outside such boundaries.

Start at the Northwest corner of Section 35, Township 14 North, Range 23 East, which is the point of beginning, and run thence East along the North Section Line of Section 35 one mile, more or less, to the NE corner of said Section 35, thence East along the North line of Section 36, Township 14 North, Range 23 East $\frac{3}{4}$ of a mile, more or less, to the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 36, thence South along the Forty Line $\frac{1}{4}$ of a mile to the NE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 36, thence East along the Forty Line $\frac{1}{4}$ of a mile, more or less, to the East line of said Section 36, thence South along the

said Section Line to the North right-of-way line of the Peachburg Road (County Road No. 40) which point is also the SE corner of Lot No. 11 in Ridgeview Subdivision, according to a map of said Subdivision which is now on file in the Probate Office of Bullock County, Alabama, run thence in a westerly direction along the North right-of-way line of said Peachburg Road, 1,167.80 feet to the SW corner of Lot No. 7 in said Ridgeview Subdivision, thence South and parallel to the Section line to the North line of the South Half of the SE $\frac{1}{4}$ of said Section 36, thence East along the said Forty Line to the East Section Line of said Section 36, thence South along the said Section Line $\frac{1}{4}$ of a mile more or less to the SE corner of said Section 36, thence South along the East Section Line of Section 1, Township 13 North, Range 23 East, $\frac{1}{4}$ of a mile, more or less, to the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1, thence West along the Forty Line, $\frac{1}{2}$ mile, more or less, to the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1, thence South along the Half Section Line of said Section 1, $\frac{3}{4}$ of a mile, more or less, to the South Line of Section 1, thence West along said Section Line $\frac{1}{4}$ of a mile, more or less, to the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1, thence South along the forty line to a point, which point is 150 ft. North of the SE corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 12 thence West and parallel with Section line to a point, which is 555 ft. East of the West Section line of said Sec. 12, thence South and parallel with the West Section line of said Sec. 12 to a point on the South Section line of said Sec. 12, thence West along said Section line 555 ft. to the SW corner of said Section 12, thence West along the South line of Section 11, Township 13, North, Range 23 East, one mile, more or less, to the SW corner of said Section 11, thence West along the South Section Line of Section 10, Township 13 North, Range 23 East, $\frac{1}{4}$ of a mile, more or less, to the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 10, thence North along the Forty Line $\frac{3}{8}$ of a mile, thence West and parallel with the Section Line $\frac{1}{4}$ of a mile, more or less, to the Half Section Line of said Section 10, thence North along the Half Section Line $\frac{5}{8}$ of a mile, more or less, to the North line of said Section 10, thence West along the South Section Line of Section 3, Township 13 North, Range 23 East, $\frac{1}{2}$ mile, more or less, to the SW corner of said Section 3, thence West along the Section Line $\frac{1}{4}$ of a mile, more or less, to the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 13 North, Range 23 East, thence North along the Forty Line $\frac{3}{4}$ of a mile, more or less, to the NW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, thence East along the Forty Line $\frac{1}{4}$ of a mile, more or less, to the East Section Line of said Section 4, thence East along the Forty Line $\frac{1}{2}$ mile, more or less, to the SE corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 3, thence North along the Half Section Line $\frac{1}{4}$ of a mile, more or less, to the North Section Line of Section 3, thence North along the Half Section Line of Section 34, Township 14 North, Range 23 East, to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 34, thence East along the Forty Line $\frac{1}{2}$ mile, more or less, to the East Section Line of said Section 34, thence North along said Section Line $\frac{1}{4}$ of a mile, more or less, to the NE corner of said Section 34 which is the point of beginning.

Where ever Sections 34, 35 and 36 are referred to in the above description, the same refers to Township 14 North, Range 23 East; and where ever Sections 1, 2, 3, 4, 10, 11 and 12 are referred to, the same refers to Township 13 North, Range 23 East.

Section Two: All laws and parts of laws which are in conflict with this act are hereby repealed.

Section Three: This act shall become effective immediately upon due passage and approval by the governor, or upon its otherwise becoming law.

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, Rubye M. Garner, a Notary Public, in and for said State and County, personally appeared W. H. Garner Publisher of the Union Springs Herald, a newspaper published at Union Springs, Bullock County, Alabama, who being duly sworn states on oath that he published a legal notice, A Bill To Be Entitled an Act to alter, extend etc. the boundaries and Corp. limits of the City of Union Springs, Ala. a true copy of which is attached hereto, was published in said newspaper for 4 consecutive weeks, in its issues of June 15, 1967, June 22, 1967, June 29, 1967, July 6, 1967.

W. H. GARNER,
Publisher.

Sworn to and subscribed before me this 7 day of July, 1967.

RUBY M. GARNER,
Notary Public.

By Messrs. Engel, McDermott and Pelham:

S. 384. To further amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

Committee on Seaports.

By Messrs. Engel and McDermott:

S. 385. To amend further Act No. 345, S. 291, Regular Session 1955 (Acts 1955, v. 2, p. 783), an act applying only in counties having populations of not less than 225,000 nor more than 500,000, and providing for a domestic relations division of the circuit court of any such county.

Committee on Local Legislation No. 1.

By Mr. Engel:

S. 386. To amend Title 15, Sections 105 and 107, Code of Alabama 1940, in relation to the form and execution of search warrants.

Committee on Judiciary.

By Mr. Albea:

S. 387. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the Town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

The South Half (S½) of the SW¼ of NE¼, Section Four, Township Fifteen South, Range Eight East, Calhoun County, Alabama, except the East 264 feet thereof.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Personally appeared before me Phillip A. Sanquinetti, who being duly sworn, makes oath that he is Secretary of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: June 2, 9, 16, 23, 1967.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me this 26th day of June, 1967.

LOLA J. BRIGHT,
Notary Public.

By Mr. Pelham:

S. 388. To provide for the regulation of the practice of podiatry; to provide for the examination of applicants to practice podiatry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registration; to provide for a state board of podiatry; to provide for appointment of members thereof and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishments for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act.

Committee on Public Health.

By Mr. Adams:

S. 389. Relating to Houston County; authorizing the court of county commissioners, board of revenue, or other like governing body to levy a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such county; providing for the collection of the tax; providing for payment of the proceeds therefrom into the general fund in the county treasury; and prescribing penalties.

Committee on Local Legislation No. 1.

By Mr. Adams:

S. 390. Relating to Houston County; authorizing the county governing body of Houston County to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in the county; to fix the rate or amount of such tax; to provide that if such tax is levied it shall be paid to the probate judge and by him paid into the general fund of the county; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

Committee on Local Legislation No. 1.

By Messrs. Radney, McCarley, Folsom, Goodwyn, Torbert, Skidmore, Leonard, Nabors, Lindsey, Pelham, Engel, Vacca, Bailes, Morrow, Gilmore, Turner, Albea, Hawkins and McDermott:

S. 391. Relating to rights of married women; providing for and giving wives equal rights with husbands by allowing a wife to bring an action for loss of consortium, companionship and services of her husband and for recovery of reasonable value of nursing care or services rendered by her where the husband is injured by wrongful act, omission, negligence, or wanton conduct of another.

Committee on Judiciary.

By Messrs. Jackson and Giles:

S. 392. To amend Section 9 of Chapter 1, Title 19, Code of Alabama, 1940, so as to provide that said section shall not apply to any crossing, by any highway, road, or street, at grade or otherwise, of the right-of-way of any railway company operating within the state, by the State of Alabama, by any county, or by any municipality within the state.

Committee on Judiciary.

By Messrs. Goodwyn, Stone, Engel, McDermott, Leonard, Radney, Giles, Pierce, Torbert, Carr, Turner and O'Bannon:

S. 393. To prohibit the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks in and into the State of Alabama; to declare certain fireworks and sparklers illegal and contraband within the State of Alabama and to provide for their confiscation; to regulate the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks and sparklers in and into the State of Alabama and to prescribe permit procedures, permits and fees for the same; to regulate the periods of permitted retail sale and use in the State of Alabama of certain fireworks; to prescribe penalties for any violation of this act; and to repeal Act No. 391, Acts of Alabama, Regular Session 1955, approved September 9, 1955.

Committee on Judiciary.

By Messrs. Goodwyn and Torbert:

S. 394. To propose an amendment to the Constitution of Alabama establishing a judicial department of the State of Alabama, and specifying and vesting the judicial power of the State of Alabama; to establish the jurisdiction of the Supreme Court of Alabama, the Court of Appeals of Alabama, the circuit courts of Alabama and a court of uniform limited jurisdiction to be known as a Magistrate's Court; to provide for the method of selection of justices and judges of the courts of Alabama and to establish their eligibility; to provide for the tenure of office of justices and judges and for the method of their retirement because of age or incapacity, as well as for their removal from office because of incapacity or misconduct; to provide the method of fixing the compensation of justices and judges of Alabama; to provide for an executive head of the Judicial System of Alabama charged with the prompt disposition of the judicial business of State Courts; and to repeal sections 139, 140, 142-149 inclusive, 151-161 inclusive, 168, 171 and 172 of the Constitution of Alabama of 1901.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Goodwyn:

S. 395. To amend Section 652 of Title 26 of the Code of Alabama 1940 as amended.

Committee on Immigration, Industrial
Resources and Labor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol Building
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the State Personnel Board.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

July 3, 1967

To the Senate of Alabama
State Capitol Building
Montgomery, Alabama

Gentlemen:

I have this day appointed, subject to your confirmation, the Honorable Ralph Adams, Troy, Alabama, as a member of the State Personnel Board for the term expiring March 2, 1973.

Sincerely,
LURLEEN B. WALLACE,
Governor of Alabama.

July 3, 1967

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, relative to the appointment of Honorable Ralph Adams as a member of the State Personnel Board was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pierce and Goodwyn:

S. 372. To provide for the distribution in any county having a population as great as 120,000 and not exceeding 200,000, according to the then next preceding federal decennial census, of that portion of the State Gasoline Excise Tax allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

By Mr. Hain (with notice and proof):

H. 158. To alter, rearrange and extend the boundaries of the City of Selma in Dallas County; and to provide for a referendum election to determine whether this Act will become effective.

By Mr. Young (with notice and proof):

H. 333. Relating to Cleburne County; providing for the compensation and allowances of members of the county governing body; repealing conflicting laws and specifically repealing Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), as amended; giving the Act retroactive effect.

By Mr. Young (with notice and proof):

H. 334. To amend Act No. 198, H. 526, Regular Session 1959 (Acts of Alabama 1959, p. 733), entitled, "An Act relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury," so as to further provide for the compensation of such secretary.

By Messrs. Higginbotham, Brassell and Turnham (with notice and proof):

H. 342. To repeal Act. No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies for the Sheriff.

By Messrs. Higginbotham, Brassell and Turnham (with notice and proof):

H. 343. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County.

By Mr. Steagall:

H. 365. To apply only in counties in the state having a population of not less than 31,000 nor more than 32,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lolley, Clark and Giles:

S. 361. To create a board of trustees to manage and control Troy State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision,

management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Troy State College of all supplies, funds, books, documents, records and other property or effects of such college.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 323. To require all persons in charge of laboratories that perform tests for syphilis to make a report of reactive or positive tests to the State Board of Health; to authorize the Board of Health to make pertinent rules and regulations; to declare such reports confidential, and to provide punishment for violating this act or rules and regulations; to repeal conflicting laws: and to provide for the effective date hereof.

MOTION IN WRITING

Mr. Adams offered the following Motion in Writing, to-wit:

"When the Senate adjourns today they adjourn to meet again on Wed. July 12, 1967 at 2:00 P. M."

Which was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 45. WHEREAS the citizens of Alabama were shocked and grieved at the tragic death of Fireman Hershell O'Neal Roy who was killed while fighting a fire that raged through Montgomery's historic downtown district; and

WHEREAS Fireman Roy joined the Montgomery Department in 1965. His skill, his selfless devotion to duty, his good humor, and his warm and friendly manner endeared him to his family, his friends and fellowworkers; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we note with deep regret the untimely death of this young citizen of our State and extend our heartfelt sympathy to his widow, Mrs. Agnes C. Roy, his parents, Mr. and Mrs. W. L. Roy and other members of his family.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mrs. Agnes C. Roy.

On motion of Mr. McCarley, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Skidmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 46. WHEREAS Miss Sylvia Hitchcock, stunning University of Alabama beauty, has been declared the winner in the Miss U. S. A. contest and will represent the nation in the coming Miss Universe contest; and

WHEREAS this regal 5 feet 7½ inch beauty with light brown hair, dark brown eyes, and measurements of 35½-24-36½ is affiliated with the Chi Omega sorority; and

WHEREAS Miss Hitchcock, who is in her first year at the University, transferred from a junior college in her home town of Miami, Florida, in order to pursue her studies in art, majoring in sculpture and with intentions of becoming a professor of art; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Miss Hitchcock upon her being acclaimed Miss U. S. A. She is a credit to the University of Alabama and to this State. We have every confidence in Miss Hitchcock's ability to win the Miss Universe contest and wish her every success in her future career.

RESOLVED FURTHER That a copy of this resolution be sent to Miss Hitchcock and to the Crimson and White, student newspaper of the University of Alabama.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 41. Relative to Legislative recess without pay.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTIONS

Mr. Leonard offered the following Senate Joint Resolution, to-wit:

S. J. R. 47. WHEREAS Lance Corporal William Marshall Shaw, Jr., C Company, 3rd Marines, was killed in Vietnam on May 8, 1967 on Hill 881; and

WHEREAS Corporal Shaw was a resident of Talladega County. He was born July 14, 1946. He attended Bemiston Elementary School and graduated from Talladega High School in 1964; and

WHEREAS Corporal Shaw gave his life in upholding the principles for which this country stands; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we lament the untimely death of this young citizen of Alabama and extend our deepest and heartfelt sympathy to Corporal Shaw's parents in their great loss.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mr. and Mrs. William M. Shaw, Sr.

On motion of Mr. Leonard, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Torbert offered the following Senate Joint Resolution, to-wit:

S. J. R. 48. WHEREAS it is highly desirable and of paramount importance that both Houses of the Legislature shall work in harmonious conjunction; and, in the public interest and the interest of the individual members, so schedule and organize its meetings as to utilize the fullest the remaining available time of this session, now therefore,

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE CONCURRING, That the President of the Senate shall name three members of the Senate who shall be a select committee of the Senate and the Speaker of the House shall name three members of the House who shall be a select committee of the House whose purpose it shall be to meet together in order to promote cooperation, to foster coordination, and to expedite the work of the two Houses. It shall be the duty of the committees to consult with each other in an attempt to arrange a mutually agreeable schedule of meeting days and times of adjournment in order to insure that all legislative matters and proposals pending in each House shall be fairly considered by the other House and that the remaining legislative days of this session be devoted to fair, full and considered deliberation and debate of all legislative measures and proposals.

Which was read and referred to the Standing Committee on Rules.

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 49. WHEREAS, the State of Alabama has become a symbol and a shining light for the preservation of liberty and freedom; and

WHEREAS, people throughout the United States are thankful for the leadership Alabamians are giving in the present fight for the preservation of the right of the people to govern themselves; and

WHEREAS, the Alabama State Flag and the Confederate Battle Flag have today become beacons for those who believe in local self-government, private property rights and individual liberty and freedom; and

WHEREAS, it is the express desire of the Governor of Alabama, Her Excellency Lurleen B. Wallace, in order to pay tribute to this rich heritage of the State of Alabama, that all state supported institutions of higher learning should prominently display the Alabama Flag and the Confederate Battle Flag along with the American Flag at Homecoming festivities each year and that the band play the "Star Spangled Banner", "Alabama" and "Dixie" respectively as each flag is hoisted; and

WHEREAS, it is both fitting and proper, therefore, that the Governor's desire should be implemented:

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses concurring, that all state supported institutions of higher learning in the State of Alabama are hereby requested to fly the Alabama State Flag and the Confederate Battle Flag along side the American Flag on prominent flagpoles at each Homecoming festivity and that the bands play the "Star Spangled Banner", "Alabama" and "Dixie" respectively as each flag is hoisted.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the President of each state supported institution of higher learning in the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 319. To amend further Act No. 283, H. 561, Regular Session 1955, which provided for the establishment of a solicitor's fund for the solicitor of the sixth judicial circuit (Acts 1955, v. 1, p. 649).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays:

—0

The Bill:

H. 224. Relating to the office of the sheriff of Chilton County; providing further for the appointment, number, term, duties and compensation of the deputies of the sheriff, and repealing conflicting laws, including Act No. 673, H. 1026, Regular Session 1951 (Acts 1951, p. 1166); Act No. 501, H. 936, Regular Session 1953 (Acts 1953, p. 633); and Act No. 582, H. 963, Regular Session 1961 (Acts 1961, p. 688) giving the Act retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	McCarley	Pierce	
Bailes	Goodwyn	Morrow	Radney	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 227. Relating to the Town of Evergreen in Conecuh County, Alabama; altering and extending the corporate limits of the municipality.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Oden	Vacca	
Childs	Goodwyn			—25

Nays:

—0

The Bill:

H. 359. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Albea	Folsom	McDermott	Radney	
Bailes	Giles	Morrow	Stone	
Branyon	Harris	Nabors	Torbert	
Carr	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Clark, further consideration of the Bill, H. B. 184, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 348. To apply only in counties in the state having a population of not less than 46,000 nor more than 46,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Oden	
Adams	Gilmore	McCarley	Pierce	
Bailes	Givhan	McDermott	Radney	
Branyon	Goodwyn	Morrow	Skidmore	
Carr	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 362. Relating to law enforcement in Chilton County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Gilmore	Lindsey	Pelham	
Albea	Givhan	McCarley	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 15. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts in the several counties.

was taken up.

Mr. Albea offered the following amendment to the Bill, S. B. 15, to-wit:

AMENDMENT TO S. B. 15

Amend S. B. 15 as follows:

Delete the paragraph containing the proposed amendment and substitute in lieu thereof the following paragraph containing a substitute amendment.

PROPOSED AMENDMENT

The legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts and the method and purpose of disbursement thereof in each county of the state except Clarke, Conecuh, Monroe, Wilcox and Dallas Counties.

On motion of Mr. Turner, further consideration of the Bill, S. B. 15 and pending amendment, was postponed until the next Legislative Day.

BILL RECALLED AND RE-REFERRED

On motion of Mr. Morrow, unanimous consent was given for the Bill, H. B. 251, to be recalled from the Standing Committee on Local Legislation No. 1.

Mr. Morrow then moved that said Bill, H. B. 251, be re-referred to the Standing Committee on Local Legislation No. 2, which motion was adopted and said Bill, H. B. 251, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Local Legislation No. 2.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

Motion in Writing relative to adjournment of the Senate.

The Rules Committee then reported the following amendment to the Motion in Writing, to-wit:

Amend motion in writing by changing time of meeting from 2:00 P. M. to 3:00 P. M.

On motion of Mr. McCarley, said amendment was laid on the table.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Dominick	Leonard	Pierce	
Albea	Gilmore	McCarley	Radney	
Bailes	Harris	McDermott	Torbert	
Branyon	Hawkins	Morrow	Vacca	
Childs				—16

Nays:

Messrs.:	Engel	Jackson	Pelham	
Adams	Folsom	Lindsey	Skidmore	
Clark	Givhan	Lolley	Turner	
Cooper	Goodwyn	Nabors		—14

Mr. McCarley offered the following amendment to the Motion in Writing, to-wit:

AMENDMENT TO MOTION IN WRITING

Strike out the words and figures "3 P. M. July 12, 1967" and insert therein 12 Noon July 13, 1967.

Mr. Clark moved that the amendment offered by Mr. McCarley be laid on the table, and the motion to table was lost.

Yeas 13; Nays 18.

Yeas:

Messrs.:	Engel	Goodwyn	Pelham	
Adams	Folsom	Jackson	Stone	
Clark	Giles	Lolley	Turner	
Cooper	Givhan			—13

Nays:

Messrs.:	Gilmore	McCarley	Radney	
Albea	Harris	McDermott	Skidmore	
Bailes	Hawkins	Morrow	Torbert	
Childs	Leonard	Nabors	Vacca	
Dominick	Lindsey	Pierce		—18

The question then recurred on the amendment offered by Mr. McCarley, and said amendment was then adopted by the Senate.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Gilmore	McCarley	Pierce	
Albea	Harris	McDermott	Radney	
Bailes	Hawkins	Morrow	Skidmore	
Childs	Leonard	Nabors	Torbert	
Dominick	Lindsey	O'Bannon	Vacca	—19

Nays:

Messrs.:	Cooper	Givhan	Pelham
Adams	Engel	Goodwyn	Stone
Carr	Folsom	Jackson	Turner
Clark	Giles	Lolley	

—14

And said Motion in Writing, as thus amended, offered by Mr. Adams, was then adopted by the Senate.

Mr. McCarley moved that the Senate reconsider the vote by which the Motion in Writing offered by Mr. Adams was adopted, and further moved that his motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 18; Nays 17.

Yeas:

Messrs.:	Dominick	McCarley	Pierce
Albea	Gilmore	McDermott	Radney
Bailes	Harris	Morrow	Torbert
Branyon	Hawkins	Nabors	Vacca
Childs	Lindsey	O'Bannon	

—18

Nays:

Messrs.:	Engel	Jackson	Pelham
Adams	Folsom	Leonard	Skidmore
Carr	Giles	Lolley	Stone
Clark	Givhan	Oden	Turner
Cooper	Goodwyn		

—17

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 49. Relative to flag raising procedures at homecoming festivities at each state supported institution of higher learning in Alabama.

On motion of Mr. Turner, said Resolution was then adopted by the Senate.

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 50. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Seventeenth Legislative Day only:

- S. B. 179, Page 3
- S. B. 180, Page 4
- S. B. 177, Page 6
- S. B. 178, Page 6
- S. B. 338, Page 27
- S. B. 328, Page 28
- S. B. 327, Page 28

On motion of Mr. Clark, said Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 179. To require law enforcement officers to report all arrests of persons charged with certain sex offenses and all courts having jurisdiction of such offenses to report all convictions therein of such offenses to the state department of public safety; to require the state department of public safety to adopt and maintain a system of registering or recording and indexing such information and making it available only to duly constituted law enforcement officers for the purpose of apprehending and convicting sex offenders and preventing and curtailing sex crimes; and to prescribe penalties.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 179, to-wit:

AMENDMENT TO S. B. 179

Amend Section 1 by deleting that portion of the first sentence thereof down to the first semi-colon and substituting therefor the following:

"This act shall apply to persons who have been arrested and convicted for any act of or attempt to commit an act of sexual perversion involving a member of the same or the opposite sex, with sexual perversion being defined as an act or acts constituting a violation of one or more of the following criminal laws of the State of Alabama;"

Further amend Section 1 by deleting therefrom the following:

"disturbing the peace of others, as proscribed by Act No. 87, S. 107, of the Regular Session of 1959 (Acts 1959, p. 508) when such disturbance is by indecent conduct or language; disturbing women, as proscribed in Code of Alabama 1940, Title 14, Section 116; causing the delinquency of children, as proscribed by Code of Alabama 1940, Title 13, Sections 366-369, inclusive;"

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon
Albea	Engel	Leonard	Pelham
Bailes	Folsom	Lindsey	Pierce
Branyon	Giles	Lolley	Radney
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Vacca
Cooper	Hawkins		

—29

Nays:

—0

Mr. Harris then offered the following amendment to the Bill, S. B. 179, as amended, to-wit:

AMENDMENT TO S. B. 179

Amend Section 2 by deleting the same and by changing and reducing the Section numbers of Sections 3 through 8 both inclusive by each section number, respectively, by one.

Further by amending Section 4 by deleting therefrom the words "law enforcement officers and"; and by deleting from Section 4 the words and figures "Sections 2 and 3" and substituting therefor the following: "Section 2."

Further, amend Section 5 by deleting therefrom the following:

"Any law enforcement officer who fails to report an arrest as required by Section 2 hereof and", and by substituting the figure 2 for the figure 3 where the same appears therein.

On motion of Mr. Pelham, said amendment was laid on the table.

Yeas 21; Nays 10.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors	
Albea	Engel	Jackson	Pelham	
Branyon	Folsom	Leonard	Stone	
Childs	Giles	Lolley	Turner	
Clark	Givhan	Morrow	Vacca	
Cooper	Goodwyn			—21

Nays:

Messrs.:	Harris	O'Bannon	Skidmore	
Bailes	Lindsey	Pierce	Torbert	
Carr	McDermott	Radney		—10

And said Bill, S. B. 179, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Pelham	
Adams	Dominick	Leonard	Pierce	
Albea	Engel	Lindsey	Radney	
Bailes	Folsom	Lolley	Stone	
Branyon	Giles	McDermott	Torbert	
Carr	Givhan	Morrow	Turner	
Childs	Goodwyn	Nabors	Vacca	
Clark	Hawkins	O'Bannon		—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Merrill:

H. 218. To authorize county governing bodies to pay expenses in defending lawsuits brought against county officials growing out of the performance of their official duties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 218. To the Committee on Public Buildings and Grounds.

BILLS ON THIRD READING RESUMED

The Bill:

S. 180. To require certain sex offenders to register with the sheriff of the county where they reside; to require and provide for maintenance of registers or rosters of persons registering under this act by the several sheriffs and by the state department of public safety; and to prescribe the punishment for wilful failure or refusal to so register.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 180, to-wit:

AMENDMENT TO SENATE BILL 180

Amend Senate Bill 180 by deleting from Section 1 the following:

"has heretofore been convicted, or", and by deleting the following:

"or within thirty days after this act becomes effective in case such person was released prior to the effective date of this act.", and by deleting the following:

"disturbing the peace of others, as proscribed by Act No. 87, S. 107, of the Regular Session of 1959 (Acts 1959, p. 508) when such disturbance is by indecent conduct or language; disturbing women, as proscribed in Code of Alabama 1940, Title 14, Section 116; causing the delinquency of children, as proscribed by Code of Alabama 1940, Title 13, Sections 366-369, inclusive; using obscene or insulting language in the presence of a girl or woman, as proscribed in Code of Alabama 1940, Title 14, Section 11;"

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 24; Nays 7.

Yeas:

Messrs.:	Cooper	Hawkins	Oden
Adams	Dominick	Jackson	Pelham
Albea	Engel	Lindsey	Stone
Branyon	Folsom	Lolley	Torbert
Carr	Giles	McDermott	Turner
Childs	Givhan	Morrow	Vacca
Clark			

—24

Nays:

Messrs.:	Goodwyn	O'Bannon	Radney
Bailes	Harris	Pierce	Skidmore

—7

Mr. Harris then offered the following amendment to the Bill, S. B. 180, to-wit:

AMENDMENT TO SENATE BILL 180

Amend Senate Bill 180 by deleting from Section 1 the following:

"disturbing the peace of others, as proscribed by Act No. 87, S. 107, of the Regular Session of 1959 (Acts 1959, p. 508) when such disturbance is by indecent conduct or language; disturbing women, as proscribed in Code of Alabama 1940, Title 14, Section 116; causing the delinquency of children, as proscribed by Code of Alabama 1940, Title 13, Sections 366-369, inclusive; using obscene or insulting language in the presence of a girl or woman, as proscribed in Code of Alabama 1940, Title 14, Section 11;"

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Folsom	Lindsey	Pierce
Albea	Giles	Lolley	Radney
Bailes	Givhan	McDermott	Skidmore
Branyon	Goodwyn	Morrow	Stone
Carr	Harris	Nabors	Torbert
Childs	Hawkins	O'Bannon	Turner
Clark	Jackson	Oden	Vacca
Cooper			—32

Nays: —0

And said Bill, S. B. 180, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Adams	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Loiley	Skidmore
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper			—32

Nays: —0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Cooper, further consideration of the Bills, S. B.'s 177 and 178, was indefinitely postponed by the Senate.

BILLS RECALLED AND RE-REFERRED

On motion of Mr. Cooper, unanimous consent was given for the Bill, S. B. 338, to be removed from the Calendar. Mr. Cooper then moved that said Bill, S. B. 338, be re-referred to the Standing Committee on Public Health, which motion was adopted, and said Bill, S. B. 338, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Public Health.

On motion of Mr. Skidmore, unanimous consent was given for the Bill, S. B. 321, to be removed from the Calendar. Mr. Skidmore then moved that said Bill, S. B. 321, be re-referred to the Standing Committee on Judiciary, which motion was adopted, and said Bill, S. B. 321, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Judiciary.

BILLS ON THIRD READING RESUMED

The Bill:

S. 328. To amend Act No. 586, H. 346, Regular Session 1957, an act further regulating the traffic in narcotic drugs (Acts, Regular Session 1957, v. 2, p. 823).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Albea	Folsom	Leonard	Pelham	
Bailes	Giles	Lindsey	Pierce	
Branyon	Gilmore	Lolley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	O'Bannon		—30

Nays:

—0

The Bill:

S. 327. Making further provisions respecting the enforcement of laws relating to narcotic drugs and poisons, amending Code of Alabama 1940, Title 22, Sections 236, 237, 238, and 252.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden	
Albea	Engel	Leonard	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Carr	Gilmore	McDermott	Skidmore	
Childs	Givhan	Morrow	Stone	
Clark	Goodwyn	Nabors	Vacca	
Cooper	Harris	O'Bannon		—30

Nays:

—0

ADJOURNMENT

At 5:25 P. M., on motion of Mr. Engel, in accordance with Motion in Writing heretofore adopted, the Senate adjourned until Thursday, July 13, 1967, at 12 o'clock Noon.

EIGHTEENTH LEGISLATIVE DAY

THURSDAY, JULY 13, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend James Walters, Assistant Minister, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Oden
Adams	Folsom	Lindsey	Pelham
Albea	Giles	Lolley	Pierce
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson		

—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventeenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Seventeenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Carr and Skidmore for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 250. To amend Sections 2(a) and 2(b) of Act number 353, H. 773, Regular Session, 1953 (Acts, 1953, p. 421), an Act relating to Fayette County: To impose extra, new and additional duties upon the members of the county governing body, and provide for their compensation.

JOHN W. PEMBERTON,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Folsom:

S. 396. To amend further Section 2 of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

A BILL TO BE ENTITLED AN ACT

To amend further Section two of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, v. 1, p. 45) the act creating the Cullman County Commission on Education, is hereby amended so as to read as follows:

S 2. The Cullman County Commission on Education shall be composed of seven members elected by districts as follows: One member shall be elected from each of the school attendance areas hereinafter described and shall be a qualified elector of, and shall reside in said district and each member shall be elected by the qualified electors residing in his district, said districts being described as follows:

District one, the West Point area, shall consist of election precincts 13, 14, 15, 16, 17 and 33; district two, the Fairview area, shall consist of election precincts 19, 28, and 32, and also, election district one of precinct 20 and election district one of precinct 21; district three, the Holly Pond area, shall consist of election precincts 22, 23 and 24 and also election district two of precinct 20 and election district two of precinct 21; district four, the Hanceville area, shall consist of election precincts three, four, five, six, 25, 27 and 31; district five, the Cold Springs area, shall consist of election precincts 7, 8, 9, 10, 12 and 26; district six, the Vine-mont area, shall consist of election precinct 18, districts 1 and 2, and precinct 30; district seven, the Good Hope area, shall consist of election precinct 2, districts 1 and 2, and election precincts 11 and 29. The members of the Commission for districts two and four shall each be elected at the general election in November 1970, and every four years thereafter. The members for districts one, three and five, shall be elected at the general election in November 1968, and every four years thereafter. The first

members of the Commission for districts six and seven shall be appointed by the Governor, and their successors shall be elected at the general election in November 1970, and every four years thereafter. Members of the Commission shall take office on the first Monday after the second Tuesday in January next succeeding their election. They shall qualify and be removed in the same manner as members of county boards of education. All members of the Commission shall be, at the time of their election or appointment, and during their continuance in office, qualified electors of Cullman County and of the district for which he is elected or appointed. The members of the Commission shall elect a chairman from among their own number, and any four members of the Commission shall constitute a quorum for the transaction of its business.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1967.

ROBERT BRYAN.

Sworn to and subscribed before me July 11, 1967.

COLLEEN BUCHANAN,
Notary Public.

My Commission Expires Nov. 4, 1968.

By Mr. Oden:

S. 397. To provide for payment of license taxes and registration fees on private passenger automobiles on a quarterly declining basis.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 398. To amend further Chapter 7 of Title 2, Code of Alabama of 1940, as amended, relating to the qualifications, annual permit and other requirements for persons engaged in professional services or work pertaining to entomological, pathological, horticultural and floricultural, and tree surgery work including structural pest control work; and to further amend said Chapter by amending Section 677 thereof relating to persons to whom the provisions and requirement of said Chapter are applicable.

Committee on Agriculture.

By Mr. Cooper:

S. 399. Relating to supernumerary circuit solicitors; to amend Section 1 of an act approved September 3, 1953 (Act No. 474, S. 219, Acts 1953, Vol. 1, p. 589) which provides for the appointment of supernumerary circuit solicitors of the State of Alabama, in relation to the number of years of service prerequisite to a disabled district attorney, circuit solicitor, or like prosecuting officer by whatever name designated becoming a supernumerary circuit solicitor.

Committee on Finance and Taxation.

By Mr. Turner:

S. 400. To amend Section 9 of Title 48 of the Code of Alabama of 1940 dealing with the office, meetings, and record of proceedings of Alabama Public Service Commission.

Committee on Judiciary.

By Mr. Turner:

S. 401. To amend Section 13 of Title 48 of the Code of Alabama of 1940 dealing with the officers and employees of the Alabama Public Service Commission.

Committee on Judiciary.

By Mr. Turner:

S. 402. To amend Section 77 of Title 48 of the Code of Alabama of 1940 dealing with the time for deciding cases by the Alabama Public Service Commission.

Committee on Judiciary.

By Mr. Turner:

S. 403. To amend further Code of Alabama 1940, Title 22, Section 207, in relation to the membership of the milk control board and the compensation of such members, and giving the amendment retroactive effect.

Committee on Finance and Taxation.

By Mr. Pierce:

S. 404. To create a special fund in the state treasury for deposit of certain gifts or cash donations made to the state department of archives and history and to designate it the "Memorial Fund—Department of Archives and History"; to authorize and regulate the use and expenditure of such fund; and to designate gifts payable to such fund as gifts to the State of Alabama for income tax purposes.

Committee on Public Buildings and Grounds.

By Mr. Giles:

S. 405. To provide for public highways, streets, and bridges in any county having a population as great as 170,000 and not exceeding 300,000, according to the last or any succeeding federal census; and to that end to require that each such county provide the services of a county engineer for its highway, street and bridge program and to make further provisions for the distribution among any such county and the municipalities therein of (1) those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967, and (2) those portions of the net proceeds from the state motor vehicle license taxes and registration fees that are referred to in paragraphs (b) and (c) of Section 713 of Title 51 of the Code of Alabama of 1940, as amended, and that are provided in the said paragraphs to be paid or allocated to any such county and the municipalities therein.

Committee on Local Legislation No. 1.

By Messrs. Giles, Givhan, Goodwyn, Skidmore, Leonard and Nabors:

S. 406. To amend Section 177 (1e) of Title 13 of the Code, 1940, as amended.

Committee on Judiciary.

By Messrs. Giles, Givhan, Goodwyn, Skidmore, Leonard and Nabors:

S. 407. To amend further Section 1 of Act No. 936, H. 652, Regular Session 1951 (Acts 1951, p. 1605), an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a circuit court judge.

Committee on Judiciary.

By Mr. Adams:

S. 408. To regulate further the business of certain public utilities, gas districts, power districts, electric membership corporations, electric co-operatives, municipal electric utility boards and district electric corporations.

Committee on Commerce and Common Carriers.

By Messrs. Harris, Carr, Skidmore, Leonard, Bailes, Branyon, Folsom, Childs, Vacca, O'Bannon, Radney, Pierce, Nabors, Hawkins, Stone and Gilmore:

S. 409. To amend Act No. 217, S. 23, of the Special Session of 1967 which provides for competitive bidding on certain public contracts and purchases, so as to exempt certain purchases made by waterworks boards, sewer boards, gas boards and other like utility boards and commissions which are instrumentalities of counties or municipalities from the provisions of such act requiring competitive bidding.

Committee on Finance and Taxation.

By Mr. Leonard:

S. 410. Relating to counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; prohibiting consumption of alcoholic beverages in certain places in such counties; levying a license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; creating a "Board of Control"; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the license tax levied under this Act; prescribing penalties for violation of the Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county.

Committee on Local Legislation No. 1.

By Mr. Nabors:

S. 411. To provide for conversion of Gadsden State Junior College into a senior college; changing the name of such college; continuing certain of its policies and programs; authorizing and providing for the institution of additional programs of instruction; and providing for the continued control and management of such college by the state board of education.

Committee on Finance and Taxation.

By Messrs. Cooper, Goodwyn, Turner, Clark, Engel, Gilmore, Folsom, Torbert, Lolley, Giles, Nabors, Radney, Lindsey, Branyon, Albea, McCarley, O'Bannon, Adams, McDermott, Stone, Vacca, Pelham and Childs:

S. 412. To authorize the sale and issuance of not exceeding \$25,000,-000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing and equipping mental health facilities, including mental health centers, hospitals for treatment and care of the mentally ill, and facilities for treatment and care of the mentally retarded; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary of that portion of an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes, levied by the act introduced as House Bill No. _____ at the 1967 Regular Session of the Legislature of Alabama, that was appropriated in the said act to the purpose of acquiring and constructing mental health facilities; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

Committee on Finance and Taxation.

By Messrs. Cooper, Goodwyn, Turner, Clark, Engel, Gilmore, Folsom, Torbert, Lolley, Giles, Nabors, Radney, Lindsey, Branyon, Albea, McCarley, O'Bannon, Adams, McDermott, Stone, Vacca, Pelham, and Childs:

S. 413. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$25,000,000 principal amount of General Obligation Bonds of the State of Alabama for the acquisition, construction and equipment of mental health facilities, including mental health centers, hospitals for treatment and care of the mentally ill, and facilities for treatment and care of the mentally retarded.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Cooper, Goodwyn, Turner, Clark, Engel, Gilmore, Folsom, Torbert, Lolley, Giles, Nabors, Radney, Lindsey, Branyon, Albea, McCarley, O'Bannon, Adams, McDermott, Stone, Vacca, Pelham and Childs:

S. 414. To provide for the organization of a public corporation in the state to be known as Alabama Mental Health Building Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction of mental health facilities, consisting of mental health centers and facilities for the treatment and care of the mentally ill and the mentally retarded, and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by the act adopted at the 1967 Regular Ses-

sion of the Legislature of Alabama that was introduced as House Bill No. at said session, to the extent necessary to pay the principal of and the interest on bonds of the Authority as such principal and interest mature; to authorize the Authority to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that the said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of the funds of the Authority; and to provide for the dissolution of the Authority.

Committee on Finance and Taxation.

By Messrs. Cooper, Goodwyn, Turner, Clark, Engel, Gilmore, Folsom, Torbert, Lolley, Giles, Nabors, Radney, Lindsey, Branyon, Albea, McCarley, O'Bannon, Adams, McDermott, Stone, Vacca and Pelham:

S. 415. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds thereof.

Committee on Finance and Taxation.

By Mr. Giles:

S. 416. To establish in Alabama a state commission to be known as THE COMMISSION FOR THE PRESERVATION OF HISTORIC CEMETERIES; providing for the membership of the commission and for the terms of office, compensation, duty and authority of the commissioners, and making an appropriation to the use of the commission.

Committee on Finance and Taxation.

By Mr. Branyon:

S. 417. To apply only in counties having populations of not less than 15,500 nor more than 16,300; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 418. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Clio, Barbour County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Clio, Barbour County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1: The boundary lines and corporate limits of the Town of Clio, Barbour County, Alabama, are hereby altered, rearranged, and extended so as to incorporate therein all tracts, lots, and parcels of land in a boundary extending one mile and one-half from the center of the town in every direction.

Section 2. This Act shall become effective immediately upon its passage and approved by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, May 4, May 11, and May 18, all in the year 1967.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 22, 1967.

MILTON CAMPBELL,
Notary Public.

By Mr. Folsom:

S. 419. To make an appropriation from the State General Fund for the operation and maintenance of Ava Marie Grotto at Cullman.

Committee on Finance and Taxation.

By Messrs. Lindsey, Givhan, Pierce, McCarley, Leonard, Clark, Giles, Turner, Stone, Cooper, Lolley, Adams, Branyon, Jackson, Radney, Torbert and Oden:

S. 420. To amend Code of Alabama Title 51, Section 21, relating to the subjects of taxation in this State.

Committee on Finance and Taxation.

By Mr. Lindsey:

S. 421. To create a board of trustees to manage and control Livingston State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Livingston State College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Public Buildings and Grounds.

By Mr. McDermott:

S. 422. Further providing for the clearing of blighted areas and the prevention of blight: Amending the title and Sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Act No. 491, S. 402, Regular Session 1949 (Acts 1949, p. 713) so as to confer on and vest in municipal governing bodies the same powers, duties and authority relative to clearing blighted areas and preventing blight that are conferred on and vested in housing authorities by said act.

Committee on Municipalities
and Municipal Organizations.

By Mr. McDermott:

S. 423. Further providing for the granting of additional power and authority for the elimination and prevention of the development or spread of slums and blight: Amending the title and Sections 2, 4, 5 and 7 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, P. 1210) so as to confer on and vest in municipal governing bodies the same additional powers, duties, and authority relative to the elimination and prevention of the development or spread of slums and blight that are conferred on and vested in housing authorities by said Act.

Committee on Municipalities
and Municipal Organizations.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Radney (with substitute):

S. 98. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Engel:

S. 302. To provide that a dog guide may accompany a blind person in any place of public accommodation or public conveyance; to provide that violation of this Act shall be a misdemeanor.

By Messrs. Folsom, Childs, Skidmore, McCarley and Harris:

S. 316. To preserve law and order by proscribing, prohibiting and penalizing incitement to crime or to riotous conduct.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 241. To propose an amendment to the Constitution of Alabama providing for jury verdicts in civil cases by vote of three-fourths majority of the jurors empaneled.

The above Bill was read a second time at length as required by the Constitution.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 182. To provide that insureds or other beneficiaries of insurance policies, subscribers to or other beneficiaries of medical hospital or hospital and medical service plans and contracts, shall, when visual services are offered, have freedom of choice of practitioner in the performance of services which are within the lawful scope of the practice of optometry.

By Mr. Turner:

S. 185. Relating to the administration of public assistance programs for the visually handicapped, prohibiting discrimination, and providing a remedy for violations.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with amendment):

S. 21. To make an appropriation for capital outlay for the Alabama Pesticide Residue Laboratory of the Department of Agriculture and Industries.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn, Torbert, Skidmore, Turner and Engel:

S. 40. To further amend Section 107 of Title 13, Code of Alabama (1940), to fix the compensation of the clerk of the court of appeals, and to appropriate funds for carrying out the provisions of this act.

By Messrs. Goodwyn, Torbert, Skidmore, Turner and Engel:

S. 41. To make an additional appropriation for the expenses of the Court of Appeals.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark (with amendment):

S. 56. To fix the rate of assessing property for taxation and repeal conflicting laws.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gilmore and Vacca:

S. 163. To provide for erection of certain markers on public highways to advertise tourist attractions; prescribing the duties and responsibilities of the Director of Publicity and Information and the Director of the State Highway Department in relation to the construction and erection of such markers; and providing for payment of costs.

By Mr. Giles:

S. 217. To amend Section 1 of Act No. 223 of the Special Session of 1967, approved May 10, 1967, which amends Section 692, among other sections of the motor vehicle license laws, Title 51, Code of Alabama 1940.

By Mr. Carr:

S. 318. To authorize and direct the Board of Nursing created under Act No. 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615) to conduct a survey and study of nursing and nursing education and needs, establishing procedures for such survey and study and making appropriations therefor.

By Mr. Turner:

S. 348. To amend Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to provide for the continued existence of any corporation organized under the said act until dissolved in the manner provided therein.

By Mr. Clark:

S. 363. To amend further, Sections 9, 10, 13, 16, 18, 20 and to repeal Section 19, and to add Section 20(1), all of Chapter 2 of Title 46, Code of Alabama 1940, which relates to the registration of architects.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Branyon (with notice and proof):

S. 377. Relating to Fayette County: To alter and rearrange the boundaries of the City of Winfield so as to reduce the corporate limits and exclude certain territory which lies in Fayette County from the city.

By Mr. Nabors (with notice and proof):

S. 379. To alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

By Mr. Lolley (with notice and proof):

S. 383. To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama.

By Messrs. Engel and McDermott:

S. 385. To amend further Act No. 345, S. 291, Regular Session 1955 (Acts 1955, v. 2, p. 783), an act applying only in counties having populations of not less than 225,000 nor more than 500,000, and providing for a domestic relations division of the circuit court of any such county.

By Mr. Albea (with notice and proof):

S. 387. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

By Mr. Adams:

S. 389. Relating to Houston County; authorizing the court of county commissioners, board of revenue, or other like governing body to levy a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such county; providing for the collection of the tax; providing for payment of the proceeds therefrom into the general fund in the county treasury; and prescribing penalties.

By Mr. Adams:

S. 390. Relating to Houston County; authorizing the county governing body of Houston County to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in the county; to fix the rate or amount of such tax; to provide that if such tax is levied it shall be paid to the probate judge and by him paid into the general fund of the county; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 363. To amend Act. No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, providing for appointment by the clerk of a clerical assistant whose compensation shall be paid by the county.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris (with amendment):

S. 366. Relating to county roads, providing for regulation of digging up or use of such roads for certain purposes by public utilities.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Merrill:

H. 218. To authorize county governing bodies to pay expenses in defending lawsuits brought against county officials growing out of the performance of their official duties.

Mr. Adams, Chairman of the Standing Committee on Temperance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Graham (with notice and proof) (without recommendation):

H. 36. Further regulating the liquor traffic in Colbert County and authorizing cities in such county to become wet cities if the legal possession, sale and distribution of alcoholic beverages is approved at an election held as authorized in this Act.

Mr. Adams, Chairman of the Standing Committee on Temperance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Oden:

S. 238. Relating to intoxicating liquors; providing for a referendum to determine whether the State shall be "wet" or "dry" under the alcoholic beverage control laws contained in Title 29, Code of Alabama (1940), and amendments thereto.

Mr. Engel, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Engel, McDermott and Pelham:

S. 384. To further amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dominick:

S. 289. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of certain judges, creating a judicial qualifications commission and defining its powers, duties and authority.

The above bill was read a second time at length as required by the Constitution.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper (with substitute):

S. 338. Relating to public health; making further provisions respecting the regulation and control of the manufacture, distribution, delivery and possession of depressant and stimulant drugs; providing for enforcement of the Act and prescribing penalties.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pelham:

S. 388. To provide for the regulation of the practice of podiatry; to provide for the examination of applicants to practice podiatry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registration; to provide for a state board of podiatry; to provide for appointment of members thereof and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishments for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Radney, McCarley, Folsom, Goodwyn, Torbert, Skidmore, Leonard, Nabors, Lindsey, Pelham, Engel, Vacca, Bailes, Morrow, Gilmore, Turner, Albea, Hawkins and McDermott:

S. 391. Relating to rights of married women; providing for and giving wives equal rights with husbands by allowing a wife to bring an action for loss of consortium, companionship and services of her husband and for recovery of reasonable value of nursing care or services rendered by her where the husband is injured by wrongful act, omission, negligence, or wanton conduct of another.

By Messrs. Goodwyn, Stone, Engel, McDermott, Leonard, Radney, Giles, Pierce, Torbert, Carr, Turner and O'Bannon:

S. 393. To prohibit the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks in and into the State of Alabama; to declare certain fireworks and sparklers illegal and contraband within the State of Alabama and to provide for their confiscation; to regulate the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks and sparklers in and into the State of Alabama and to prescribe permit procedures, permits and fees for the same; to regulate the periods of permitted retail sale and use in the State of Alabama of certain fireworks; to prescribe penalties for any violation of this act; and to repeal Act No. 391, Acts of Alabama, Regular Session 1955, approved September 9, 1955.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jackson (T) et al (with notice and proof):

H. 251. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 250. To amend Sections 2(a) and 2(b) of Act number 353, H. 773, Regular Session, 1953 (Acts, 1953, p. 421), an Act relating to Fayette County: To impose extra, new and additional duties upon the members of the county governing body, and provide for their compensation.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTIONS

Messrs. Engel, Pelham and McDermott offered the following Senate Joint Resolution:

S. J. R. 51. WHEREAS the Honorable Hugh E. Fort of Mobile passed away on June 29, 1967; and

WHEREAS Mr. Fort had served as a member of the County Commission of Mobile County since 1954, and was serving his third consecutive term at the time of his death. He epitomized the image of public service. He made a great record by his conscientious performance of his duties, his concern for the welfare and best interests of all of the citizens of Mobile County, his integrity, and his wisdom and he will be sorely missed; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we hereby express our profound sorrow at the passing of Mr. Fort and extend our heartfelt sympathy to his widow Mrs. Maude D. Fort and the other members of his family in their loss.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Maude D. Fort.

On motion of Mr. Engel, the Rules were suspended and the Resolution was adopted by the Senate.

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 52. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Eighteenth Legislative Day only:

S. B. 174, Page 15
 S. B. 112, Page 14
 S. B. 48, Page 12
 S. B. 229, Page 8
 S. B. 308, Page 20
 S. B. 189, Page 15
 S. B. 133, Page 14
 S. B. 203, Page 16
 S. B. 105, Page 13
 S. B. 309, Page 21

On motion of Mr. Clark, said Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 253. To amend Section 1 of Act No. 596, H. 1087, approved August 29, 1961 (Acts 1961, V. I, p. 708), an Act entitled "An Act to authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk," so as to further fix such compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Stone	
Childs	Harris	Morrow	Torbert	
Clark	Jackson			—25

Nays:

—0

The Bill:

H. 254. To fix the compensation of the clerk appointed by the sheriff of Limestone County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Pierce	
Albea	Giles	McDermott	Radney	
Bailes	Gilmore	Morrow	Stone	
Branyon	Givhan	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Cooper	Lolley			—25

Nays:

—0

The Bill:

H. 252. To amend further Section 1 of Act No. 204, H. B. 544, approved September 30, 1959 (Acts 1959, v. 1, p. 738), an act fixing and providing for the payment of the compensation of clerks and assistants of certain officers of Limestone County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Adams	Folsom	McCarley	Radney	
Albea	Giles	Nabors	Stone	
Childs	Goodwyn	O'Bannon	Torbert	
Clark	Harris	Oden	Turner	
Cooper	Leonard	Pelham	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 364. To amend further Act No. 32, H. 162, Regular Session 1947, an act establishing a law and equity court for Colbert County, in relation to the duty of the clerk of the court to make minute entries of judgments in misdemeanor cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Adams	Gilmore	McCarley	Radney	
Albea	Givhan	McDermott	Stone	
Bailes	Goodwyn	Morrow	Torbert	
Branyon	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 372. To provide for the distribution in any county having a population as great as 120,000 and not exceeding 200,000, according to the then next preceding federal decennial census, of that portion of the State Gasoline Excise Tax allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

was taken up.

Mr. Pierce offered the following substitute for the Bill, S. B. 372, to-wit:

SENATE SUBSTITUTE FOR S. B. 372

A BILL TO BE ENTITLED AN ACT

To provide for the distribution among the municipalities in any county having a population as great as 120,000 and not exceeding 200,000,

according to the last or any succeeding federal decennial census, of a portion of the State Gasoline Excise Tax paid to such county pursuant to the provisions of Section 5(b) of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

Be It Enacted by the Legislature of Alabama:

Section 1. Application of Act. This act shall apply to each county in the state that has a population as great as 120,000 and not exceeding 200,000, according to the then next preceding federal decennial census.

Section 2. Definitions. The following words and phrases, wherever used in this act, shall have the respective meanings hereinafter ascribed to them.

"The county" means any county that at the time is subject to the provisions of this act.

"Highway gasoline tax" means (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel.

"Highway gasoline tax distribution act" means Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

"Treasurer" means the county treasurer, county depository, or other officer charged by law with the duties of a county treasurer.

Section 3. Distribution Among the Municipalities in Each County Subject to the Provisions of This Act of Part of the Highway Gasoline Tax Paid to Such County Pursuant to Section 5(b) of the Highway Gasoline Tax Distribution Act. Within three days after receipt by the treasurer of any county subject to the provisions of this act of each remittance to the county pursuant to the provisions of clause (b) in the first paragraph of Section 5 of the highway gasoline tax distribution act, the said treasurer shall pay over to and distribute among the municipalities in the county forty-four and forty-four one hundredths per centum (44.44%) of the amount so received by the said treasurer. The amount so paid over to and distributed among the municipalities in the county shall be apportioned among the said municipalities by the said treasurer on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the county according to the then next preceding federal decennial census.

Section 4. Distribution to Municipalities Incorporated after September 30, 1967, in Each County Subject to this Act. Any municipality incorporated after September 30, 1967, shall not participate in the distribution provided for in this act until the fiscal year next succeeding the fiscal year during which it is incorporated. The population of any municipality incorporated subsequent to the taking of the then next preceding federal decennial census shall be deemed, until the effective date of the then next succeeding federal decennial census, to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940.

Section 5. Effective Date of Census. For the purposes of this act, each federal decennial census shall be deemed to be effective on the first day of October next following the publication of the results of such decennial census.

Section 6. Use of Tax Proceeds Distributed to Municipalities Under This Act. All tax proceeds paid to any municipality pursuant to the provisions of this act shall be used by such municipality only for the construction, reconstruction, maintenance, widening, alteration and improvement of roads, bridges, streets, and other public ways, including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the said proceeds were or may be lawfully pledged; provided, that no part of the said tax proceeds shall be expended contrary to the provisions of the Constitution of Alabama.

Section 7. Effective Date of Act. This act shall become effective October 1, 1967.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Stone	
Bailes	Gilmore	McDermott	Torbert	
Branyon	Goodwyn	Morrow	Turner	
Childs	Hawkins	Nabors	Vacca	
Clark	Leonard			—25

Nays:

—0

And said Bill, S. B. 372, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Stone	
Bailes	Gilmore	McDermott	Torbert	
Branyon	Goodwyn	Morrow	Turner	
Childs	Hawkins	Nabors	Vacca	
Clark	Leonard			—25

Nays:

—0

The Bill:

H. 333. Relating to Cleburne County; providing for the compensation and allowances of members of the county governing body; repealing conflicting laws and specifically repealing Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), as amended; giving the Act retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Oden	
Bailes	Gilmore	Lindsey	Pelham	
Branyon	Givhan	McDermott	Pierce	
Childs	Goodwyn	Morrow	Radney	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 334. To amend Act No. 198, H. 526, Regular Session 1959 (Acts of Alabama 1959, p. 733), entitled, "An Act relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury," so as to further provide for the compensation of such secretary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	McDermott	Pierce	
Bailes	Giles	Morrow	Radney	
Branyon	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Vacca	
Clark	Hawkins			—25

Nays: —0

The Bill:

H. 365. To apply only in counties in the state having a population of not less than 31,000 nor more than 32,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lolley	Pierce	
Adams	Goodwyn	McCarley	Radney	
Childs	Harris	McDermott	Stone	
Clark	Hawkins	O'Bannon	Torbert	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard	Pelham	Vacca	
Giles	Lindsey			—25

Nays: —0

The Bill:

H. 342. To repeal Act. No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies for the Sheriff.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	McCarley	Pelham	
Albea	Giles	McDermott	Pierce	
Bailes	Gilmore	Morrow	Radney	
Branyon	Givhan	Nabors	Torbert	
Clark	Jackson	O'Bannon	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 343. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Torbert	
Clark	Givhan	McDermott	Vacca	
Cooper	Goodwyn			—25

Nays: —0

The Bill:

S. 112. To create a Commission on Physical Fitness; to prescribe the powers, duties and authority of the commission and to provide for the selection, term, qualifications, powers, duties, authority and compensation of the members thereof; to provide for the appointment, duties, and compensation of an executive secretary and other employees of the commission.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 112, to-wit:

AMENDMENT TO S. B. 112

AMEND by striking from Section 9 the figures \$25,000 and inserting in lieu thereof figures \$17,500.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Adams	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Branyon	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	Nabors	Vacca	
Dominick				—32

Nays: —0

And said Bill, S. B. 112, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Adams	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Branyon	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Vacca	
Cooper	Hawkins	Nabors		—30

Nays: —0

The Bill:

S. 48. To amend Title 51, Section 569, Code of Alabama, in relation to the license payable by photographers and photograph galleries.
was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 48, to-wit:

SUBSTITUTE FOR S. B. 48

A BILL TO BE ENTITLED AN ACT

To amend Title 51, Section 569, Code of Alabama, in relation to the license payable by photographers and photograph galleries.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 51, Section 569, Code of Alabama, is hereby amended to read as follows:

“Section 569. Every photograph gallery, or person engaged in photography, when the business is conducted at a fixed location: In cities and towns of seventy-five thousand inhabitants and over, twenty-five dollars for each fixed location; in cities and towns of less than seventy-five thousand and not less than forty thousand inhabitants, fifteen dollars for each fixed location; in cities and towns of less than forty thousand and not less than seven thousand inhabitants, ten dollars for each fixed location; in cities and towns of less than seven thousand and in all other places whether incorporated or not, five dollars for each fixed location. The payment of such license shall authorize the doing of business only in and throughout the county where paid. If the licensee does business in any other county or counties, he shall pay an annual license of five dollars for each photographer in each additional county in which he does business. Each transient or each traveling photographer having no fixed place of business in the state shall pay a license of ten dollars per annum in each county where he does business.”

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	O'Bannon	
Albea	Giles	Lindsey	Oden	
Bailes	Gilmore	Lolley	Pelham	
Branyon	Givhan	McCarley	Pierce	
Childs	Harris	McDermott	Stone	
Clark	Hawkins	Morrow	Torbert	
Cooper	Jackson	Nabors	Vacca	
Engel				—28

Nays: —0

And said Bill, S. B. 48, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden	
Albea	Giles	Lindsey	Pelham	
Bailes	Gilmore	Lolley	Pierce	
Branyon	Givhan	McCarley	Radney	
Childs	Goodwyn	McDermott	Stone	
Cooper	Harris	Nabors	Torbert	
Dominick	Hawkins	O'Bannon	Vacca	
Engel	Jackson			—29

Nays: —0

RECESS

At 1:05 P. M., on motion of Mr. Goodwyn, the Senate took a recess until 1:30 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

The Bill:

S. 229. To set the terms of office of the respective members of each Board of Revenue, Court of County Commissioners or like governing body of the several counties at six years; to repeal conflicting laws; and to establish an effective date.

was taken up.

Mr. Branyon moved that further consideration of the Bill, S. B. 229, be postponed until the next Legislative Day. Mr. Pelham moved as a substitute motion that further consideration of the Bill, S. B. 229, be postponed until the Twenty-Fifth Legislative Day. Mr. Branyon moved that the substitute motion be laid on the table, which motion was lost.

The question recurred on the motion of Mr. Pelham that further consideration of the Bill, S. B. 229, be postponed until the Twenty-Fifth Legislative Day, which resulted in a tie vote.

Yeas 14; Nays 14.

Yeas:

Messrs.:	Cooper	Giles	Morrow	
Albea	Dominick	Gilmore	Pelham	
Bailes	Engel	Jackson	Torbert	
Childs	Folsom	McDermott		—14

Nays:

Messrs.:	Givhan	Leonard	Pierce	
Adams	Goodwyn	Lindsey	Radney	
Branyon	Harris	Lolley	Stone	
Clark	Hawkins	McCarley		—14

The President and Presiding Officer of the Senate voted "Nay"; therefore, the motion to postpone to the Twenty-Fifth Legislative Day was lost.

Mr. Harris moved that further consideration of the Bill, S. B. 229, be postponed until the Twenty-first Legislative Day.

Mr. Branyon moved that said motion be laid on the table, which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Givhan	Lolley	Radney	
Adams	Goodwyn	Nabors	Stone	
Branyon	Leonard	Pierce	Turner	
Clark	Lindsey			—13

Nays:

Messrs.:	Engel	Hawkins	Morrow	
Bailes	Folsom	Jackson	O'Bannon	
Childs	Giles	McCarley	Pelham	
Cooper	Gilmore	McDermott	Torbert	
Dominick	Harris			—17

The question recurred on the motion of Mr. Harris that further consideration of the Bill, S. B. 229, be postponed until the Twenty-First Legislative Day, which motion was adopted.

Yeas 20; Nays 13.

Yeas:

Messrs.:	Engel	Hawkins	Morrow	
Albea	Folsom	Jackson	O'Bannon	
Bailes	Giles	Lindsey	Pelham	
Childs	Gilmore	McCarley	Torbert	
Cooper	Harris	McDermott	Vacca	
Dominick				—20

Nays:

Messrs.:	Givhan	Nabors	Radney	
Adams	Goodwyn	Oden	Stone	
Branyon	Leonard	Pierce	Turner	
Clark	Lolley			—13

The Bill:

S. 174. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development and contracts for the furnishing of fiscal or financial advice or services.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 174, to-wit:

AMENDMENT TO S. B. 174

Amend Section 1 of S. B. No. 174 by deleting the period at the end of the first sentence in said section and inserting in lieu thereof, in words and figures as follows:

“or for the construction and equipment of buildings for public building authorities under the provisions of Act No. 493 of the 1955 Session of the Legislature of Alabama, as amended.”

On motion of Mr. Cooper, said amendment was laid on the table.

Mr. Goodwyn offered the following substitute for the Bill, S. B. 174, to-wit:

SUBSTITUTE FOR S. B. 174

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development and contracts for the furnishing of fiscal or financial advice or services.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama shall be and hereby is amended to read as follows:

“Section 2. Competitive bids shall not be required for utility services, the rates for which are fixed by law, regulation or ordinance; to the purchase of insurance; to the purchase of ballots and supplies for conducting any primary, general, special or municipal election; to contracts for the securing of services of attorneys, physicians, architects, teachers, superintendents of construction, artists, appraisers, engineers, consultants, certified public accountants, public accountants, or other individuals possessing a high degree of professional skill where the personality of the individual plays a decisive part; contracts of employment in the regular civil service; to contracts for furnishing of fiscal or financial advice or services; to purchases of products made or manufactured by the blind or visually handicapped under the direction or supervision of the Alabama Institute for Deaf and Blind in accordance with Act No. 542, approved September 9, 1955; to purchases of maps or photographs purchased from any federal agency; to purchases of manuscripts, books, maps, pamphlets or periodicals; to the selection of paying agents and trustees for any security issued by a public body; to contractual services and purchases of commodities for which there is only one vendor or supplier; to contractual services and purchases of personal property which by their very nature are impossible of award by competitive bidding, nor shall this act

apply to any purchases of products where the price of such products are already regulated and established by state law, nor to purchases made by individual schools of the county or municipal public school system from monies other than those raised by taxation or received through appropriations from state or county sources, nor to purchases for public hospitals and nursing homes operated by the governing boards of instrumentalities of the state, counties and municipalities, nor to contracts for the purchase, lease, sale, construction, installation, acquisition, improvement, enlargement or extension of any plant, building, structure or other facility, or any machinery, equipment, furniture or furnishings therefor, designed or intended for lease or sale for industrial development, other than public utilities, under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, or Act No. 756 adopted at the 1951 Regular Session of the Legislature of Alabama, or any other statute or amendment to the Constitution of Alabama heretofore or hereafter enacted or adopted authorizing the construction of plants or other facilities for industrial development. The said state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state shall establish and maintain such purchasing facilities and procedures as may be necessary to carry out the intent and purpose of this act by complying with the requirements for competitive bidding in the operation and management of each such state trade school, state junior college, state college or university under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions. Contracts entered into in violation of this act shall be void."

Section 2. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Albea	Giles	Lindsey	Pierce
Bailes	Gilmore	Lolley	Radney
Branyon	Goodwyn	McCarley	Stone
Childs	Harris	McDermott	Torbert
Cooper	Hawkins	Morrow	Turner
Dominick	Jackson	Nabors	Vacca
Engel			

—28

Nays:

—0

Mr. Cooper offered the following amendment to the Bill, S. B. 174, as amended by the substitute, to-wit:

AMENDMENT TO S. B. 174

Amend Section 1 of the Substitute for S. B. No. 174 by deleting the period at the end of the first sentence in said section and inserting in lieu thereof, in words and figures as follows:

"or for the construction and equipment of buildings for public building authorities under the provisions of Act No. 493 of the 1955 Session of the Legislature of Alabama, as amended."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Cooper	Harris	Nabors	Turner	
Dominick	Hawkins	O'Bannon	Vacca	
Engel	Jackson			—29

Nays:

—0

Mr. McCarley offered the following amendment to the Bill, S. B. 174, as amended, to-wit:

AMENDMENT TO S. B. 174

This act in no ways will ever place any financial responsibility on the taxpayers of Alabama.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 30; Nays 3.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Adams	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins	Oden		—30

Nays: Messrs.: Albea, Leonard, McCarley

—3

Mr. Nabors offered the following amendment to the Bill, S. B. 174, as amended, to-wit:

AMENDMENT TO S. B. 174, AS SUBSTITUTED

Senate Bill 174 as amended by adding the following section after section 1.

Sec 1a. Amend Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama by striking the words and figures of \$500.00 wherever they appear in the act and inserting therein in lieu thereof the words and figures Two Thousand and no/100 (\$2,000.00) Dollars.

On motion of Mr. Cooper, said amendment was laid on the table.

Mr. Harris offered the following amendment to the Bill, S. B. 174, as amended, to-wit:

AMENDMENT TO S. B. 174

Amend Senate Bill 174 by inserting in Section 2 of Act No. 217, S. 23 of the Special Session of 1967 by inserting therein prior to the sentence "contracts entered into in violation of this act shall be void" the following:

"nor to purchases of equipment, supplies and materials needed, used and consumed in the normal and routine operation of waterworks boards, sewer boards, gas boards, electric boards, and other like utility boards and commissions which are instrumentalities of counties or municipalities whose operating expenses are paid entirely out of revenues derived from fees or charges for utility services rendered by them and no part of which are paid from revenues derived from taxes or from appropriations from the state, a county or a municipality.

On motion of Mr. Cooper, said amendment was laid on the table.

And said Bill, S. B. 174, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 32; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon
Adams	Folsom	Leonard	Oden
Albea	Giles	Lindsey	Pelham
Bailes	Gilmore	Lolley	Pierce
Branyon	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Morrow	Turner
Cooper	Hawkins	Nabors	Vacca
Dominick			

—32

Nays:

—0

The Bill:

S. 308. To authorize the director of the bureau of publicity and information to enter into certain contracts with and spend funds in support of the southern travel directors council.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Adams	Folsom	Lindsey	Pierce
Albea	Giles	Lolley	Radney
Bailes	Gilmore	McCarley	Stone
Branyon	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

—30

Nays:

—0

The Bill:

S. 189. To amend further Code of Alabama 1940, Title 45, Section 144 in relation to the allowance for feeding prisoners.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Adams	Engel	Leonard	Oden
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Stone
Childs	Givhan	McDermott	Torbert
Clark	Goodwyn	Morrow	Turner
Cooper	Harris	Nabors	Vacca

—31

Nays: —0

The Bill:

S. 203. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1967.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden
Adams	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Radney
Branyon	Gilmore	McDermott	Stone
Childs	Givhan	Morrow	Torbert
Clark	Goodwyn	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—31

Nays: —0

The Bill:

S. 105. To amend Section 1 of Act No. 208, Acts of Alabama, Special Session 1966, approved August 26, 1966, entitled "An Act To authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lolley	Pierce
Albea	Folsom	McCarley	Radney
Bailes	Giles	McDermott	Stone
Branyon	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—29

Nays:

—0

The Bill:

S. 309. To amend further Sections 660 and 663, Chapter 6, Title 2, Code of Alabama 1940, as amended, relating to the state soil conservation committee so as to change the name of the committee, the location of its office, and to provide further for the application of the provisions of this chapter.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Adams	Folsom	Lolley	Pierce
Albea	Giles	McCarley	Radney
Bailes	Givhan	McDermott	Stone
Branyon	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Leonard		

—29

Nays:

—0

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 53. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Eighteenth Legislative Day only:

S. B. 256, Page 9

S. B. 257, Page 9

S. B. 99, Page 12

H. B. 220, Page 24

S. B. 234, Page 20

S. B. 218, Page 18

S. B. 90, Page 22

S. B. 235, Page 28

S. B. 307, Page 20

On motion of Mr. Clark, said Resolution was adopted by the Senate.

Yeas 21; Nays 6.

Yeas:

Messrs.:	Folsom	McCarley	Pelham
Adams	Giles	McDermott	Pierce
Albea	Goodwyn	Morrow	Radney
Branyon	Harris	Nabors	Stone
Clark	Leonard	O'Bannon	Turner
Engel	Lolley		

—21

Nays:

Messrs.:	Childs	Dominick	Torbert
Bailes	Cooper	Lindsey	

—6

BILLS ON THIRD READING RESUMED

The Bill:

S. 256. To amend Act No. 603, H. B. 69, Regular Session 1957, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies (Acts 1957, v. 2, p. 862), so as to regulate further the fees imposed for examination of credit unions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Giles	Lolley	Radney
Bailes	Givhan	McDermott	Stone
Branyon	Goodwyn	Morrow	Torbert
Childs	Harris	Nabors	Turner
Clark	Hawkins	O'Bannon	Vacca
Cooper			

—28

Nays:

—0

The Bill:

S. 257. Relating to payment by credit unions of share and deposit accounts not exceeding one thousand dollars (\$1,000) on the death of persons having such accounts; and discharging credit unions from further liability in respect to such accounts by payment of same to designated persons.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden
Adams	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McDermott	Radney
Branyon	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Vacca

—27

Nays:

—0

The Bill:

S. 99. To authorize, provide for and regulate the reimbursement out of the state treasury of certain of the expenses incurred by judges of Alabama courts in attending and participating in the National College of State Trial Judges of Reno, Nevada; and to make a continuing appropriation therefor.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 99, to-wit:

AMENDMENT TO S. B. 99

AMEND Section 2 of S. B. 99 in line 11 thereof by striking out the words "Chief Justice" and inserting in lieu thereof "the Governor".

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden
Adams	Folsom	Lindsey	Pelham
Albea	Giles	Lolley	Pierce
Bailes	Gilmore	McDermott	Radney
Branyon	Givhan	Morrow	Stone
Childs	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Dominick	Jackson		

—29

Nays:

—0

Mr. Engel offered the following amendment to the Bill, S. B. 99, as amended, to-wit:

AMENDMENT TO S. B. 99

Amend Section 2 of S. B. 99 in line 3 thereof by striking out the words "Chief Justice of the Supreme Court" and inserting in lieu thereof "Governor".

Further amend S. B. 99 in Section 3 thereof by striking out the words and figures "three thousand dollars (\$3,000)" and insert in lieu thereof "five thousand dollars (\$5,000)"

Which was adopted.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham
Adams	Giles	Lolley	Radney
Albea	Givhan	McDermott	Stone
Bailes	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Engel	Leonard		

—25

Nays: Messrs.: Dominick, Pierce

—2

And said Bill, S. B. 99, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Radney
Childs	Givhan	McDermott	Stone
Clark	Goodwyn	Morrow	Torbert
Cooper	Harris	Nabors	Turner
Dominick	Jackson	O'Bannon	Vacca

—27

Nays: —0

The Bill:

H. 220. To create a board of trustees to manage and control Jacksonville State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Jacksonville State University of all supplies, funds, books, documents, records and other property or effects of such university.

was taken up.

Mr. Radney moved that further consideration of the Bill, H. B. 220, be postponed until the Twenty-First Legislative Day. Mr. Albea moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 13; Nays 16.

Yeas:

Messrs.:	Goodwyn	Lindsey	O'Bannon
Adams	Hawkins	McDermott	Pelham
Albea	Jackson	Nabors	Turner
Childs	Leonard		

—13

Nays:

Messrs.:	Folsom	Lolley	Radney
Bailes	Gilmore	Morrow	Stone
Branyon	Givhan	Oden	Torbert
Cooper	Harris	Pierce	Vacca
Dominick			

—16

Mr. Albea moved as a substitute motion that further consideration of the Bill, H. B. 220, be postponed until the next Legislative Day. On motion of Mr. Radney, the substitute motion was laid on the table.

Mr. Albea moved as a substitute motion that further consideration of the Bill, H. B. 220, be postponed until the Twentieth Legislative Day. Mr. Radney moved that said substitute motion be laid on the table, which motion was lost.

Yeas 12; Nays 18.

Yeas:

Messrs.:	Dominick	Morrow	Radney	
Bailes	Gilmore	Oden	Torbert	
Branyon	Harris	Pierce	Vacca	
Childs				—12

Nays:

Messrs.:	Giles	Leonard	O'Bannon	
Adams	Givhan	Lindsey	Pelham	
Albea	Goodwyn	Lolley	Stone	
Cooper	Hawkins	McDermott	Turner	
Folsom	Jackson	Nabors		—18

The question recurred on the motion of Mr. Albea that further consideration of the Bill, H. B. 220, be postponed until the Twentieth Legislative Day, and the motion to postpone was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Albea	Gilmore	McDermott	Radney	
Bailes	Givhan	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—29

Nays:

—0

The Bill:

S. 234. To provide for a long range study of public education in Alabama, creating the Alabama Education Study Commission, and making an appropriation therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Adams	Folsom	Leonard	Pierce	
Albea	Giles	Lindsey	Radney	
Bailes	Gilmore	Lolley	Stone	
Branyon	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Cooper	Harris	Nabors	Vacca	
Dominick	Hawkins	O'Bannon		—30

Nays:

—0

The Bill:

S. 218. To authorize the governing body of each county in this state which, during its then next preceding fiscal year, collected as much as or more than \$40,000 from the special tax at a rate not exceeding one-fourth of one per centum levied in the county under the provisions of

Section 215 of the Constitution of Alabama for payment of any debt or liability created for the erection of necessary public buildings, bridges or roads, to sell and issue interest bearing warrants payable solely out of and in anticipation of the receipt by such county of its share of the gasoline excise taxes levied by Section 647 of the Code of Alabama of 1940, as amended, and by Act No. 674 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, and required by law to be distributed to that county; to authorize each such county to pledge for payment of the principal of and interest on the warrants so issued so much as may be necessary for that purpose of the receipts by it from the said gasoline excise taxes and to specify the priority of such pledges; to provide the purposes for which the proceeds from the sale of the said warrants may be used; to authorize each such county to sell and issue refunding warrants for the purpose of refunding the principal of outstanding warrants of the county together with the interest accrued thereon and any premium necessary to retire the warrants so refunded, whether such outstanding warrants were issued under this act or under any other law in effect at the time of the issuance thereof; to prohibit any county while subject to this act from issuing warrants payable from any part of the proceeds from the said gasoline excise taxes except under the provisions of this act; to repeal Act No. 728 adopted at the 1953 Regular Session of the Legislature of Alabama; and to repeal all general, special and local laws to the extent of any conflict with the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden
Albea	Gilmore	Lindsey	Pelham
Bailes	Givhan	Lolley	Pierce
Branyon	Goodwyn	McDermott	Radney
Childs	Harris	Morrow	Stone
Cooper	Hawkins	Nabors	Torbert
Dominick	Jackson	O'Bannon	Vacca

—27

Nays:

—0

The Bill:

S. 90. Relating to the treatment and handling of livestock in transit to market and in stockyards and auction barns; authorizing the Commissioner of Agriculture and Industries to regulate further the operation of livestock markets; making cruel and unnecessary abuse of livestock a misdemeanor and providing penalties for violations.

was taken up.

The Standing Committee on Agriculture reported the following substitute for the Bill, S. B. 90, to-wit:

SUBSTITUTE FOR S. B. 90

A BILL TO BE ENTITLED AN ACT

Relating to the treatment and handling of livestock in transit along roads and highways and in livestock markets; authorizing the Commis-

sioner of Agriculture and Industries to regulate further the operation of livestock markets with respect to cruel and injurious treatment of livestock; making cruel and unnecessary abuse of livestock a misdemeanor and providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. In order to prevent injury to animals in livestock markets and in transit and to prevent unnecessary abuse and cruelty to animals with resultant loss of profit from the slaughter and sale of such animals, it shall be unlawful in this State to handle or transport such animals in any manner not consistent with humane methods of treatment to such extent as is reasonably possible or in a manner not in compliance with, or in violation of, the requirements of this Act.

Section 2. All trucks, vans, or other conveyances used for the transportation of cattle, sheep, swine or other animals along public roads, streets or highways of Alabama shall, prior to the loading of such animals be prepared to proceed to their destination without delay, and upon loading shall proceed by the most direct and usually traveled route. In the event of a breakdown that would cause a delay of the arrival of the livestock at their destination for more than one hour, the owner of such livestock shall be notified as soon as possible of such breakdown.

Section 3. All such trucks, vans or other conveyances used for the transporting of the herein described animals shall be so constructed that the roof of any deck of the conveyance will not touch the highest point of the back of any animal loaded thereon. Any such conveyance which is propelled or drawn by the use of diesel fuel shall have the exhaust so placed that the fumes will not blow directly into the area in which the animals are loaded either when the conveyance is in motion or when it is motionless.

Section 4. In addition to the authority granted to the Commissioner of the Department of Agriculture and Industries pursuant to Act No. 173, S. 18, Regular Session 1951 (Acts 1951, p. 409), the said Commissioner with the approval of the State Board of Agriculture and Industries shall be authorized to promulgate reasonable rules and regulations for the humane treatment of animals held in livestock markets and while being sold or offered for sale in such markets, including the number, kind and size of animals that may be held in pens or areas of stipulated dimensions, regulations for the feeding and care of such animals and for the maintenance of sanitary conditions of the premises. Sticks, canes or whips shall not be used in such a manner so as to injure an animal. The use of chains, spikes, clubs, or other injurious devices are hereby prohibited except under extreme circumstances where it is necessary to prevent injury to persons or other animals; and flappers, other noise-making devices, electric prods of not more than six volts in strength and other contrivances, which have been found to be equally effective shall be used wherever possible for such purposes. The Commissioner of Agriculture and Industries shall provide for the regular inspection of such livestock markets for the purpose of enforcing the requirements of this Section.

Section 5. Any person who shall violate any of the provisions or requirements of this Act, or who fails to perform any duty imposed by the provisions of this Act, or who violates any rule or regulation duly promulgated hereunder, shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars and within the discretion of the Court may also be imprisoned for not more than six months. The manager, executive officer, owner, or other person in charge of any transportation agency or livestock market who knowingly allows any employee, agent or servant to violate any of

the provisions or requirements of this Act or who knows that any employee, agent or servant is violating any provisions of this Act and who does not take immediate steps to correct such violations shall be guilty of a misdemeanor and upon conviction shall be punished as hereinabove provided.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed to the extent only that such laws or parts of laws conflict with this Act.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden	
Albea	Gilmore	Lindsey	Pelham	
Bailes	Givhan	Lolley	Pierce	
Branyon	Goodwyn	McCarley	Radney	
Childs	Harris	Nabors	Stone	
Cooper	Jackson	O'Bannon	Vacca	
Dominick				—24

Nays: —0

And said Bill, S. B. 90, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Oden	
Albea	Gilmore	Lolley	Pelham	
Bailes	Givhan	McCarley	Pierce	
Branyon	Goodwyn	Morrow	Radney	
Childs	Harris	Nabors	Stone	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 235. Relating to occupational license taxes payable by itinerant piano tuners.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Givhan	Lolley	Pelham	
Albea	Goodwyn	McCarley	Pierce	
Branyon	Harris	McDermott	Radney	
Childs	Hawkins	Morrow	Stone	
Cooper	Jackson	Nabors	Turner	
Giles	Leonard	O'Bannon	Vacca	
Gilmore	Lindsey	Oden		—26

Nays: —0

The Bill:

S. 307. To revise and amend Act No. 65 of the Second Special Session of the Legislature, 1965, approved September 30, 1965.

was taken up.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

- S. B. 132. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. B. 155. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. B. 156. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. B. 188. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. B. 208. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. B. 224. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. B. 231. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. B. 190. Delivered to the Governor July 11, 1967, at 2:15 P. M.
- S. J. R. 41. Delivered to the Governor July 13, 1967, at 1:45 P. M.
- S. B. 250. Delivered to the Governor July 13, 1967, at 1:45 P. M.

McDOWELL LEE,
Secretary.

REPORT OF SECRETARY

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 3:45 P. M., on motion of Mr. Cooper, pending further consideration of the Bill, S. B. 307, the Senate adjourned until Tuesday, July 18, 1967, at 2 o'clock P. M.

NINETEENTH LEGISLATIVE DAY

TUESDAY, JULY 18, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles H. Dunahoo, Minister, Oak Park Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eighteenth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. O'Bannon:

S. 424. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 46,500 nor more than 48,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 425. To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county.

Committee on Local Legislation No. 1.

By Mr. Turner:

S. 426. To amend further Code of Alabama 1940, Title 24, Section 18, relating to the offense of obtaining board by fraud or misrepresentation.

Committee on Judiciary.

By Messrs. Goodwyn and Pierce:

S. 427. To appropriate the sum of Fifteen Thousand Dollars to the State Department of Education for the purpose of creating a revolving fund for purchases for the various divisions of said department.

Committee on Finance and Taxation.

By Mr. Carr:

S. 428. To authorize all counties having populations of not less than 47,000 nor more than 48,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in such counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

Committee on Local Legislation No. 1.

By Mr. Dominick:

S. 429. To authorize and empower the Supreme Court of Alabama to adopt new rules applicable to the civil jurisdiction of the courts of Alabama and to make future changes therein; to declare the effect of existing statutes relating to pleading, practice and procedure in civil actions, and to repeal hitherto controlling statutes and rules; to provide a committee of the Bar of the Supreme Court to advise the court in such labor; and further regulating publication of said new system of rules before adoption.

Committee on Judiciary.

By Mr. Givhan:

S. 430. Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons in courts of competent jurisdiction within Dallas County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the general fund of Dallas County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me July 13, 1967.

JOSEPHINE K. TIPTON,
Notary Public.

By Mr. Givhan:

S. 431. To authorize the Dallas County Court of County Revenues to appropriate and use certain County Funds and to designate and use certain County property, buildings and facilities in order to qualify for and receive Federal assistance under the Federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To authorize the Dallas County Court of County Revenues to appropriate and use certain County Funds and to designate and use certain County property, buildings and facilities in order to qualify for and receive Federal assistance under the Federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Revenues of Dallas County may have authority to appropriate and use such sums from the General Funds of the County not otherwise appropriated, and to designate and use such County property, buildings, and facilities, as may be necessary to enable the County to participate in programs and receive benefits and funds provided for and made available by and from the Federal Government under Public Law 88-452, known as the Economic Opportunity Act of 1964, as approved by Congress on August 20, 1964, when said County governing body, in its discretion, considers such action to be in the best interests of the County. Provided, however, that such sums and such property, buildings, and facilities shall not be appropriated, designated, or used in any manner which conflicts with the Constitution or statutes of the State of Alabama.

Section 2. The provisions of this Act shall be retroactive to October 1, 1966; and any appropriation of funds or designation of property made on or since such date by the County governing body as herein authorized is hereby declared valid and effective.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me 15th. day of July, 1967.

JOSEPHINE K. TIPTON,
Notary Public.

By Mr. Givhan:

S. 432. Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who shall have been an employee of Dallas County and in the service of the County for not less than twenty years prior to the establishment of the County Retirement System, shall be provided retirement benefits as provided by the County Governing Body. Provided, however, no such benefits paid to any one person shall exceed the sum of seventy-five dollars (\$75.00) per month.

Section 2. Any person coming under the provisions of this Act shall be deemed to have been in continuous service to the County and shall remain a member or employee of the department of the County to which such person was assigned at the time of his retirement, or of such other department to which such person may be assigned by the County Governing Body. Such person, while relieved of regular duty shall constitute a reserve or extra employee of such department and shall be at all times subject to the performance of any duty that may be required by the County Governing Body.

Section 3. The County Governing Body of Dallas County shall be authorized, subject to the limitations herein, to appropriate the necessary funds to carry out the provisions of this Act from any available funds in the County Treasury not otherwise appropriated.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me 15th. day of July, 1967.

JOSEPHINE K. TIPTON,
Notary Public.

By Messrs. Jackson and Giles:

S. 433. To amend Section 70 of Title 36, 1940 Code of Alabama (as amended) all of which relates to the penalty for violation by person whose license or driving privilege has been canceled, suspended, or revoked.

Committee on Public Roads and Highways.

By Mr. Adams:

S. 434. To amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, page 735)

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume I, page 735)

Be It Enacted by the Legislature of Alabama:

Section 1. That sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Fund of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume I, page 735), approved September 30, 1959, be, and the same is hereby amended to read as follows:

"Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Four Thousand and Eight Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Judge of the Court in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on October 1, 1967."

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, June 16, 23, 30, July 7, 1967 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 8 day of July, 1967.

EUGENE S. McCLINTIC,
Notary Public.

NOTICE OF PROPOSED
LOCAL LEGISLATION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Hous-

ton and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume I, page 735)

Be It Enacted by the Legislature of Alabama:

Section 1. That sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume I, page 735), approved September 30, 1959, be, and the same is hereby amended to read as follows:

"Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Four Thousand and Eight Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Judge of the Court in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on October 1, 1967."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HENRY

Before me, Nathalie S. Dodd, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the Publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit:

June 22, 1967

June 29, 1967

July 6, 1967

July 13, 1967

THE ABBEVILLE HERALD,
J. EDWARD DODD.

Sworn to and subscribed before me, this 13 day of July, 1967.

NATHALIE S. DODD,
Notary Public.

By Messrs. McDermott and Pelham:

S. 435. To amend Section 517 of Title 37 of the Code of Alabama of 1940 to provide for notice by certified mail or registered mail.

Committee on Municipalities and
Municipal Organizations.

By Messrs. Givhan and Adams:

S. 436. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Committee on Agriculture.

By Mr. McCarley:

S. 437. To promote the safety of employees and travelers upon railroads compelling common carriers by railroad to man locomotives, trains and yard engines operating within the State of Alabama with competent employees; to provide the least number of men that may be employed in locomotives, trains and yard engines; to provide for the qualifications of certain employees; to provide for the administration and enforcement of the act; and to provide penalties for the violation thereof.

Committee on Commerce and Common Carriers.

By Mr. Clark:

S. 438. Relating to Barbour County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners or other like governing body of Barbour County is hereby authorized and directed to appropriate and set aside ten percent of the county's share of the state gasoline excise tax provided for by Code of Alabama 1940, Title 51, Sections 655 and 657, to be distributed to the several incorporated municipalities in the county on the basis of the ratio of the population of each municipality to the total population of all municipalities in the county according to the most recent federal decennial census.

Section 2. The funds required to be appropriated and set aside by the provisions of this act shall be appropriated for the fiscal year commencing October 1, 1967, and each fiscal year thereafter; and shall be paid to the respective municipalities monthly as soon as practicable

after the county receives its portion of the state gasoline excise tax. All moneys received by municipalities under this act shall be used and expended exclusively for the construction, improvement and maintenance of highways and streets, for traffic control, and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues may be pledged.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, Yvonne W. Howard, a Notary Public in and for said State and County, personally appeared JOEL P. SMITH, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper four (4) times, the same appearing in the issues dated: June 22-29 July 6-13, 1967.

JOEL P. SMITH.

Sworn to and subscribed before me this the 13 day of July, 1967.

YVONNE W. HOWARD,
Notary Public, Barbour Co., Ala.

By Mr. Torbert:

S. 439. To amend Section 59 of Title 36, 1940 Code of Alabama, as amended (Recompiled 1958).

Committee on Public Roads and Highways.

By Mr. Hawkins:

S. 440. To amend Section 100 and Section 104 of Title 36, Code of Alabama, 1940, as amended, both of which relate to search warrants.

Committee on Judiciary.

By Mr. Nabors:

S. 441. To set up requirements for forming a new political party.

Committee on Privileges and Elections.

By Mr. Leonard:

S. 442. To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 443. Relating to counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census, fixing the fee for issuance of pistol permits by the sheriff, providing for the deposit of such fees in a fund to be designated the Law Enforcement Fund, and providing for the use of such fund.

Committee on Local Legislation No. 1.

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Oden and Jackson:

S. 444. Proposing an amendment to Article XI, Section 217 of the Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Torbert, Oden and Jackson:

S. 445. To amend further Code of Alabama 1940, Title 51, Section 2, relating to the exemption of persons and property from ad valorem taxation.

Committee on Finance and Taxation.

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Torbert, Oden and Jackson:

S. 446. To amend Code of Alabama 1940, Title 51, Section 15, in relation to the exemption of homesteads from ad valorem taxes.

Committee on Finance and Taxation.

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Oden and Jackson:

S. 447. Relating to ad valorem taxation; providing for the classification of property for purposes of taxation; and fixing percentages of the fair and reasonable market value of the property in the several classes at which such property shall be valued and taxes thereon assessed.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 448. To amend further Act No. 152, H. 60, Regular Session 1945 relating to the Legislative Reference Service and the Legislative Council (General Acts 1945, p. 190).

Committee on Finance and Taxation.

By Mr. Oden:

S. 449. To create an advisory board of trustees for Northwest Alabama Junior College; to prescribe its authority, duties and functions and to provide for the appointment, qualifications and terms of its members.

Committee on Education.

By Mr. O'Bannon:

S. 450. To create a board of trustees to manage and control Florence State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Florence State College of all supplies, funds, books, documents, records and other property or effects of such college.

Committee on Public Buildings and Grounds.

By Mr. O'Bannon:

S. 451. Providing for notice of cancellation of certain automobile liability insurance policies.

Committee on Judiciary.

By Mr. McDermott:

S. 452. To amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298).

Be It Enacted by the Legislature of Alabama:

Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298), as amended, is amended further so as to read as follows:

S VIII. The Board shall elect and fix the salary of the Director who shall hold office at the will of the Board. The Board shall prescribe such qualifications as to residence, education, and experience as may be necessary in its opinion to fill the position of Director. His salary shall be fixed by the Personnel Board provided such salary shall not exceed an amount in excess of that paid any employe in the Classified Service as

defined by this Act. The Director's salary shall be payable monthly and as provided in Section 30 hereof. The Director, as executive head of the Department, shall direct and supervise all its administrative and technical activities. It shall be his duty to: (1) Attend all meetings of the Board and provide for recording its official actions, but he shall not have a vote. (2) Appoint from the Employment Register such employees of the Department, and such experts and special assistants as may be necessary to carry out effectively the provisions of this Act; (3) Prepare and recommend rules and regulations for the administration of this Act. (4) Recommend, and on its adoption, establish, administer and execute a Classification Plan for the Classified Service. (5) Submit to the Board a pay plan for all positions in the classified service. (6) Conduct tests, formulate employment registers, and certify persons qualified for appointment; devise and administer employee service ratings. (7) Examine all payrolls or other compensation for personal services within the classified service with authority to disapprove, from time to time, any item or items thereof, and no such item so disapproved in writing by him shall be paid or authorized for payment. (8) Establish and maintain a roster of all of the officers and employees in the classified service. (9) Make such reasonable investigations pertaining to personnel, salary scales, and employment conditions in the classified service as may be requested by the Board, the Supervisory Committee, or by the governing bodies of the county or any city therein. (10) Make investigations concerning the administration and effect of this Act and the rules made thereunder and report his findings and recommendations to the Board. (11) Make an annual report to the Board. (12) Perform any other act or acts required of him under this Act or required of him by the Board which may be necessary or proper to carry into effect its purposes and spirit. The Director may join or subscribe to any association or service or publication having as its purpose the interchange or dissemination or information relating to the improvement of personnel administration. When any person serving as Director has attained age 60, and has served for 20 years or more as such Director, or has served for 20 years or more as such Director and as an officer or employee of any governmental body or agency serviced by the Personnel Department provided for in this Act, may upon his election be retired by the Board, with a retirement allowance equal to but not exceeding fifty per cent of the amount of the monthly salary paid him for the high five out of the ten years immediately preceding retirement. In computing such retirement allowance any monthly payment received from any employees' pension or retirement plan organized under the laws of the State of Alabama shall first be deducted from the retirement allowance and the balance shall be payable monthly in the same manner and from the same funds as the salaries and other expenses of the Personnel Department are paid. The minimum age for retirement of any person serving as Director shall be 60 years; provided, that it shall be mandatory for any person serving as Director to retire at 70 years of age; provided further, that any person serving as Director who has attained age 50, who has otherwise qualified for retirement, may be retired by the Board if he becomes physically disabled and incapable of performing his duties.

Ruth Greene being sworn, says that he is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Jun 23 30 Jul 7 14 1967

RUTH GREENE.

Sworn to and subscribed before me this 17 day of July 1967

E. E. KOCH,
Notary Public.

By Messrs. Pierce, Goodwyn and McCarley:

S. 453. Making further provisions respecting the issuance of driver's licenses, providing for development, installation, and use of a system of color photographic driver license forms.

Committee on Finance and Taxation.

By Messrs. Folsom, Lolley, Adams and Giles:

S. 454. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Text-book Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Committee on Education.

By Messrs. Pierce and Goodwyn:

S. 455. To amend Act No. 118, Local Acts of 1939, page 66, approved March 8, 1939, which said act is entitled: "AN ACT to create and establish a Board of Jury Supervisors in Montgomery County, Alabama, to provide that the Circuit Judges, the Judge of Probate, the Sheriff, and the Clerk of the Circuit Court of Montgomery County shall constitute The Board of Jury Supervisors and to confer upon them all the jurisdiction and all the powers and authority which is now or which may hereafter be by law vested in Jury Boards and Jury Commissions in this State; to provide that they shall perform and discharge all the duties of Jury Boards and Jury Commissions without compensation, except as provided by this Act; to authorize them to elect one of their number President of such Board of Jury Supervisors, and to provide that the Clerk of the Circuit Court of Montgomery County shall be ex-officio clerk of such Board of Jury Supervisors; to fix his salary as such clerk, the manner of its payment, and to provide for the delivery to this Board of the papers and records of any former Board of Jury Supervisors, Jury Board or Jury Commission of Montgomery County." To repeal that portion of Act No. 100, General Acts of Alabama, Regular Session, 1965, page 152, approved July 7, 1965 which amends Section 3 (a) of Act No. 250, General Acts of Alabama, Regular Session, 1959.

Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Lybrand and Merrill:

H. J. R. 56. WHEREAS July 18, 1967 marks the fiftieth anniversary of the installation of Fort McClellan at Anniston, Alabama; and

WHEREAS hundreds of thousands of the finest fighting men of this country have been inducted, trained or stationed at Fort McClellan since it was established in 1917 upon the entrance of the United States in World War I; and

WHEREAS Fort McClellan has not only meant much to the economy of this State and to the community in which it is located, but it is responsible for bringing officers and men of the highest calibre to this State, many of whom have returned or remained as permanent residents; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That July 18, 1967 be designated as "Fort McClellan Day" in recognition of the fiftieth anniversary of this installation which has been such a tremendous asset to the entire State of Alabama.

RESOLVED FURTHER That a copy of this resolution be sent to the commanding officer of Fort McClellan.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, H. J. R. 56, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Folsom (with notice and proof):

S. 396. To amend further Section 2 of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

By Mr. Giles:

S. 405. To provide for public highways, streets, and bridges in any county having a population as great as 170,000 and not exceeding 300,000, according to the last or any succeeding federal census; and to that end to require that each such county provide the services of a county engineer for its highway, street and bridge program and to make further provisions for the distribution among any such county and the municipalities therein of (1) those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967, and (2) those portions of the net proceeds from the state motor vehicle license taxes and registration fees that are referred to in paragraphs (b) and (c) of Section 713 of Title 51 of the Code of Alabama of 1940, as amended, and that are provided in the said paragraphs to be paid or allocated to any such county and the municipalities therein.

By Mr. Branyon:

S. 417. To apply only in counties having populations of not less than 15,500 nor more than 16,300; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

By Mr. Clark (with notice and proof):

S. 418. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Clio, Barbour County, Alabama.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams:

S. 278. To amend Section 510 of Title 51, Code of Alabama 1940, Recompiled 1958, which levies a license on horse shows and dog and pony shows, etc.

Mr. Branyon, Chairman of the Standing Committee on Agriculture reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Adams and Branyon (with amendment):

S. 84. Relating to the sale of livestock; making it a misdemeanor for any person to sell, offer for sale, buy or offer to buy livestock on any public street or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lindsey:

S. 421. To create a board of trustees to manage and control Livingston State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Livingston State College of all supplies, funds, books, documents, records and other property or effects of such college.

By Mr. Pierce:

S. 404. To create a special fund in the state treasury for deposit of certain gifts or cash donations made to the state department of archives and history and to designate it the "Memorial Fund—Department of Archives and History"; to authorize and regulate the use and expenditure of such fund; and to designate gifts payable to such fund as gifts to the State of Alabama for income tax purposes.

RESOLUTION

Mr. Folsom offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. WHEREAS Michael David Waters of Cullman was elected President of Key Club International at the International Club Convention in Louisville, Kentucky on July 5, 1967; and

WHEREAS Michael is justly deserving of this high honor, having served as vice president and director of his local Key Club, as a member of the Alabama District Board, as editor of the Alabama District publication, "Bama Bulletin," as delegate to the International Key Club

Convention in Chicago and having been unanimously endorsed for International President by the Alabama District Key Clubs; and

WHEREAS Mike is an outstanding student maintaining a 3.8 grade average. He is a two year letterman in football, president of the local high school chapter of Fellowship of Christian Athletes, a member of the student council and a member of Quill and Scroll; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Michael on his election as President of Key Club International and commend to all our youth his life and achievements. We wish him every success in the future.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Michael David Waters, and to his parents, Mr. and Mrs. Lon Waters of Cullman.

On motion of Mr. Folsom, the Rules were suspended and the Resolution was adopted by the Senate.

HIGHWAY SAFETY COMMITTEE REPORT FILED

Under the provisions of S. J. R. 13, Special Session 1967, the report of the Committee to Study the Highway Safety Act of 1966 was submitted and ordered filed with the Secretary.

BILLS ON THIRD READING

The Bill:

H. 83. To provide for transfers from the Juvenile Court to other courts, to set the salary of the Deputy Register of the court, and to provide for expenses for the Judge of said court when attending schools or seminars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Pierce	
Branyon	Giles	McDermott	Skidmore	
Carr	Gilmore	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays:

—0

The Bill:

S. 377. Relating to Fayette County: To alter and rearrange the boundaries of the City of Winfield so as to reduce the corporate limits and exclude certain territory which lies in Fayette County from the city.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Stone	
Branyon	Giles	McCarley	Torbert	
Childs	Gilmore	McDermott	Turner	
Clark	Givhan	Morrow	Vacca	
Cooper	Goodwyn			—25

Nays: —0

The Bill:

S. 379. To alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Goodwyn	McCarley	Skidmore	
Childs	Harris	McDermott	Stone	
Clark	Hawkins	Nabors	Torbert	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard			—25

Nays: —0

The Bill:

S. 385. To amend further Act No. 345, S. 291, Regular Session 1955 (Acts 1955, v. 2, p. 783), an act applying only in counties having populations of not less than 225,000 nor more than 500,000, and providing for a domestic relations division of the circuit court of any such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Giles	Lolley	Skidmore	
Albea	Gilmore	McDermott	Stone	
Bailes	Givhan	Nabors	Torbert	
Branyon	Hawkins	O'Bannon	Turner	
Carr	Jackson	Oden	Vacca	
Cooper	Leonard			—25

Nays: —0

The Bill:

S. 387. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Oden	
Albea	Giles	Lolley	Pelham	
Branyon	Gilmore	McCarley	Pierce	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Engel	Leonard			—25

Nays: —0

The Bill:

H. 251. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce	
Adams	Folsom	McCarley	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Carr	Goodwyn	O'Bannon	Torbert	
Childs	Hawkins	Oden	Turner	
Clark	Leonard	Pelham	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 363. To amend Act. No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, providing for appointment by the clerk of a clerical assistant whose compensation shall be paid by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pierce	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

S. 383. To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Adams	Folsom	McDermott	Pierce	
Albea	Giles	Morrow	Stone	
Bailes	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 54. Relative to congratulating Michael David Waters of Cullman, Alabama, on his election as President of Key Club International at the International Club Convention in Louisville, Kentucky.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 37. Designating House Bills 14, 15, 16, 18, 19 and 20 the Lybrand, Lolley Bills.

Also:

S. J. R. 38. Commending Mrs. Jeff Beeland and Mrs. Juanita Halstead on their flight from Montreal, Canada to Miami, Florida.

Also:

S. J. R. 12. Relative to Economic Opportunity grant of nearly \$400,000 to the Southwest Alabama Farm Co-op Association.

Also:

S. J. R. 20. Relative to surplus medical supplies and equipment being donated to Bryce Hospital, Tuscaloosa, Alabama.

Also:

S. J. R. 33. Relative to the death of Dr. James Callanan Van Antwerp, Sr.

Also:

S. J. R. 27. Relative to the Autauga County High School Band.

Also:

S. J. R. 16. Relative to designating June 14, 1967 as Flag Day in Alabama.

Also:

S. J. R. 2. Relative to commending Mayor Leslie L. Gilliland and the members of the Gadsden City Commission, the Reverend Richard Bolen, the citizens of Gadsden and the people of Etowah County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Manley:

H. J. R. 55. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two houses adjourn today they will adjourn to meet again on Tuesday, July 18, at 2:00 P. M. and that when they adjourn on Tuesday, July 18, they will adjourn to meet again on Thursday, July 20, at 12:00 noon.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 55, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Young:

H. 162. Proposing an amendment to the Constitution of Alabama relative to the method of compensating the probate judge of Randolph County.

Also:

By Mr. Springer:

H. 346. To repeal Act No. 142, H. 154, Special Session 1967, approved May 10, 1967, authorizing the governing bodies of cities having populations of not less than 100,000 nor more than 200,000, according to the most recent federal decennial census, to adopt ordinances and to create agencies to protect and promote the historic architectural character of the city, to designate historic districts and to adopt other provisions for such purposes.

Also:

By Messrs. Owen (Baldwin) and Brannan:

H. 392. Providing for five commissioners districts in Baldwin County; providing for the election, term, functions and compensation of a new commissioner; and requiring a referendum.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing for five commissioners districts in Baldwin County; providing for the election, term, functions and compensation of a new commissioner; and requiring a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the referendum herein provided, Baldwin County shall be divided into five commissioners districts. The fifth district shall be composed of precincts (or beats) eight and ten. Precinct or beat number eight shall be detached from district number three and precinct or beat number ten shall be detached from district number three and four, as such districts are constituted pursuant to Act No. 239 H. 597, Regular Session 1931, as amended (Local Acts 1931, p. 100).

Section 2. The commissioner for district number five shall be elected at the general election in November 1968 and every four years thereafter. Such commissioner shall reside in and be a qualified elector of the district he represents, but shall be elected by the voters of Baldwin County at large. He shall perform the same functions and be entitled to the same compensation as are other members of the county governing body.

Section 3. The provisions of this Act shall become effective only if approved by a majority of the electors of Baldwin County voting in a referendum to be held at the next general or special election held in the county following the expiration of at least thirty days after the final adjournment of the present session of the legislature. The governing body of Baldwin County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. of the 1967 Regular Session of the Legislature which provides for the division of Baldwin County into five commissioners districts, be adopted? Yes () ; No ()." If a majority of the votes are "Yes," the provisions of this Act shall become effective immediately. If a majority are "No," this Act shall have no effect. The results of the election shall be certified by the probate judge to the Secretary of State, who shall make a permanent record thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ford Cook, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 1, June 8, June 15, and June 22, all in the year 1967.

DOT WIGGINS,
Notary Public at Large.

Sworn to and subscribed before me June 22, 1967.

FORD COOK,
Editor & Publisher.

Also:

By Mr. Tuck:

H. 417. Relating to Pickens County; providing for the nomination and election of members of the court of county commissioners, subject to the approval of the electors of the county voting in a referendum to be held thereon, and repealing conflicting laws including Section 1 of Act No. 278, H. 849, Regular Session 1935 (Acts 1935, p. 167), as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County; providing for the nomination and election of members of the court of county commissioners, subject to the approval of the electors of the county voting in a referendum to be held thereon, and repealing conflicting laws including Section 1 of Act No. 278, H. 849, Regular Session 1935 (Acts 1935, p. 167), as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. In all primary elections to be held in Pickens County for the nomination of successors to the incumbent members of the court of county commissioners of said county, candidates for membership shall be voted for only in the beats composing the district and by the qualified voters of the district proposed to be represented by such candidate or candidates, and shall be nominated by said voters of such district under such rules and regulations as may be adopted and promulgated by the governing body of the political party calling such primary election, and no person shall be eligible for such nomination unless such person resides in the district said person proposes to represent; provided, however, that all candidates for the office of member of the court of

county commissioners of said county shall be voted for at the general election by the qualified voters of the entire county.

Section 2. The members of the court of county commissioners of Pickens County for the first and third districts of said county shall be nominated at the primary election and elected at the general election held in said county during the year 1968, and every four years thereafter. Members of the court of county commissioners for the second and fourth districts of said county shall be nominated at the primary election, and elected at the general election held in said county during the year 1970 and every four years thereafter, and each such member shall hold office for four years from the time his term of office begins after his election to such office.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws and parts of laws in conflict with this act including Section 1 of Act No. 278, H. 849, Regular Session 1935 (Acts 1935, p. 167), as amended are hereby repealed.

Section 5. This act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Pickens County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the first election day in the county not less than thirty days following final passage of this act. Notice of the election shall be given by the judge of probate of Pickens County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows: "Do you favor the local law providing for the nomination of the members of the court of county commissioners by the voters of the respective districts, and for their election in the general election by the voters of the entire county? Yes (); No ()." If a majority of the votes cast at the election are affirmative votes, this act shall be in full force and effect from the first day of the second month next following the date of the election; if a majority of the votes cast are in the negative, this act shall have no further effect. The judge of probate of Pickens County shall certify the results of the election to the Secretary of State within thirty days after the returns have been canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Daisy J. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-11, 5-18, 5-25, and 6-1, all in the year 1967.

DAISY J. JUNKIN.

Sworn to and subscribed before me June 21, 1967.

EUTEAL V. JUNKIN,
Notary Public.

Also:

By Mr. Tuck:

H. 418. Relating to Pickens County; providing for the nomination and election of the county superintendent of education, and for his tenure, qualifications and compensation, subject to the approval of the electors of the county voting in a referendum thereon, and repealing conflicting laws including Section 1 of Act No. 441, S. 363, Regular Session 1963 (Acts 1963, p. 974).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Pickens County;

A BILL
TO BE ENTITLED
AN ACT

providing for the nomination and election of the county superintendent of education, and for his tenure, qualifications and compensation, subject to the approval of the electors of the county voting in a referendum thereon, and repealing conflicting laws including Section 1 of Act No. 441, S. 363, Regular Session 1963 (Acts 1963, p. 974).

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the expiration of the term of the incumbent county superintendent of education of Pickens County, his successor shall be elected by the qualified voters of the county at the general election to be held in said county in 1968 for a term of four years, nomination for which office may be made in primary elections as for other county officers. He shall possess such qualifications, perform such duties, and exercise such authority as may be prescribed by law.

Section 2. All laws and parts of laws in conflict with this act are hereby repealed, and Section 1 of Act No. 441, S. 363, Regular Session 1963 (Acts 1963, p. 974) is specifically repealed.

Section 3. This act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Pickens County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendment to the Constitution, and shall be held on the first election day in the county not less than thirty days following final passage of this act. Notice of the election shall be given by the judge of probate of Pickens County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows: "Do you favor the local law providing for the nomination and election of the county superintendent of education of Pickens County for a term of four years? Yes () ; No ()." If a majority of the votes cast at the election are affirmative votes, this act shall be in full force and effect from the first day of the second month next following the date of the election; if a majority of the votes cast are in the negative, this act shall have no

further effect. The judge of probate of Pickens County shall certify the results of the election to the Secretary of State within 30 days after the returns have ben canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Daisy J. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-11, 5-18, 5-25, and 6-1, all in the year 1967.

DAISY J. JUNKIN.

Sworn to and subscribed before me June 21, 1967.

EUTEAL V. JUNKIN,
Notary Public.

Also:

By Mr. Lemley:

H. 463. To further amend Act No. 600, of the 1953 Regular Session of the Alabama Legislature, approved September 15, 1953, entitled, "Relating to Blount County; creating a Court of Record to be known as the Law and Equity Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the Judge thereof and fixing his qualification, term and compensation, prescribing his authority and duties, and providing for other Officers of the Court, and fixing the cost to be collected therein abolishing the Intermediate Court of Blount County, and revoking certain powers of the Probate Court and the Judge thereof," and imposing a trial tax as cost in criminal cases and providing for a library for the Judges and Officers of the several Courts of Blount County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further amend Act No. 600, of the 1953 Regular Session of the Alabama Legislature, approved September 15, 1953, entitled, "Relating to Blount County; creating a Court of Record, to be known as the Law and Equity Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the Judge

thereof and fixing his qualification, term and compensation, prescribing his authority and duties, and providing for other Officers of the Court, and fixing the costs to be collected therein; abolishing the Intermediate Court of Blount County and revoking certain powers of the Probate Court and the Judge thereof," and imposing a trial tax as cost in criminal cases and providing for a library for the Judges and Officers of the several Courts of Blount County.

Section 1. Section 2 (b) of said Act No. 600, adopted September 15, 1953, is hereby amended to read as follows:

(a) "The Court shall have original jurisdiction concurrently with the Circuit Court of all misdemeanors committed within Blount County, and, except as otherwise provided in this Act, the practice and procedure governing prosecutions, trials and judgments in misdemeanor cases shall be the same as in County Courts.

(b) "In addition to all other cost provided by Act No. 600, of the 1953 Regular Session of the Alabama Legislature and Act No. 26, of the 1966 Special Session of the Alabama Legislature, there is hereby levied a trial tax of one and no/100 (\$1.00) dollars on each criminal case disposed of by the said Court to be taxed as cost. The said trial tax to be paid by the Clerk of said Court, to the General Fund of Blount County.

Section 2. The third paragraph of Section 3, of Act No. 600 of the 1953 Regular Session of the Alabama Legislature, adopted September 15, 1953, is amended to read as follows: "In the event the judge is unable to discharge the duties of his office by reason of sickness, disqualification or in the event of the absence of the Judge, the Clerk of the Court shall so certify to the presiding Circuit Judge of Blount County, who shall appoint an attorney at law, who is a qualified elector of Blount County, as a special Judge to serve during the inability, disqualification or absence of the regular Judge. The person appointed as special Judge shall receive the same compensation as the regular Judge, to be paid out of the General Fund of the County. In the event the regular Judge is disqualified, absent or is unable to serve for more than thirty days in any year, the amount of compensation paid to the special Judge for the time he serves in excess of thirty days shall be deducted from the compensation due or to become due to the regular Judge.

Section 3. Section 4 (b), of said Act No. 600, approved September 15, 1953, is amended to read as follows: "All cases in the Court shall be tried by the Judge without the intervention of a jury, except when a jury has been demanded in an election contest or a will contest and in inquisition proceedings. When juries have been demanded they shall be drawn and summoned in the same manner provided for the drawing and summoning of juries in like cases in the Probate Courts. In all other cases the Judge shall determine both the law and the facts. Any party shall have the right to appeal to the Circuit Court within thirty days from entry of judgement except as herein otherwise provided; all persons convicted of a criminal offense shall have thirty days to appeal to the Circuit Court; and on appeal either party may demand a trial by jury under the same rules as are provided by law for demand of jury trials in cases of appeal from judgements of Justices of the Peace."

Section 4. Section 4 (c) of said Act No. 600, approved September 15, 1953, is amended to read as follows: "It shall be the duty of the Clerk to issue an execution on all judgements rendered in said Court after five days and within fifteen days from the entry thereof and place the same in the hands of the Sheriff or other Officer of the Court who shall return such execution within ninety days thereafter, said return to show that he has collected or is unable to find property of the person against whom said process issued out of which the execution can be

satisfied in whole or in part. Real property may be levied on and sold under any execution issued from the Court without motion or other proceedings in the Circuit Court."

Section 5. Section 5 of said Act No. 600, approved September 15, 1953, is hereby amended to read as follows: One-half of all fines and forfeitures hereafter paid by persons convicted in said Court of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Blount County, and the remainder shall be remitted by the proper authority to the State Treasury, of the State of Alabama, who shall credit the same to the proper fund in the State Treasury.

(b) Ten per cent of said funds paid into the Fine and Forfeiture Fund of Blount County must be expended by the Governing Body of Blount County for the establishment equipping and maintenance of a library for the use of the Judges and Officers of the several Courts of Blount County."

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF BLOUNT

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 25 day of May, 1967, and ending on the 15 day of June, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 15 day of June, 1967.

MOLLY RYAN.

Also:

By Mr. Young:

H. 466. To amend further an act entitled "An Act to divide the County of Cleburne into commissioners districts and to regulate the election of county commissioners" approved March 4, 1901, so as to provide for nomination and election of commissioners by districts.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To amend further an act entitled "An Act to divide the County of Cleburne into commissioners districts and to regulate the election of county commissioners" approved March 4, 1901, so as to provide for nomination and election of commissioners by districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of an act entitled "An Act to divide the County of Cleburne into commissioners districts and to regulate the election of county commissioners" approved March 4, 1901 (Acts 1900-1901, p. 2241), as amended, is amended further to read as follows:

"Section 2. At the general election to be held in 1968 and every four years thereafter, a county commissioner for the first district and the fourth district shall be elected by the qualified voters of each of the two districts. And at the general election to be held in 1970 and every four years thereafter a county commissioner for the second district and the third district shall be elected by the qualified voters of each of the two districts. The commissioners shall be nominated and elected by districts and shall not be elected by the voters of Cleburne County at large."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 4, May 11, May 18, and May 25, all in the year 1967.

JACK R. WOOD.

Sworn to and subscribed before me June 25, 1967.

GRAYDON H. GENGE.

Also:

By Mr. Young:

H. 467. Relating to Cleburne County; providing for the election, qualifications, terms and compensation of the members of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Cleburne County; providing for the election, qualifications, terms and compensation of the members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. At the expiration of the several terms of the present members of the Cleburne County board of education, and each six years thereafter, one member shall be elected from each of the four county commissioners' districts and each such member shall reside in and be a

qualified elector of the district he represents. One of the members, who shall also be a qualified elector of the county, may reside in any one of said districts and shall be elected by the voters of the entire county.

At the general election in the year 1968, when the terms of two of the members of said board expire, their successors shall be elected from districts 1 and 3, respectively. At the general election in the year 1970 when the terms of two of the members of said board expire, their successors shall be elected from districts 2 and 4, respectively. At the general election in the year 1972 when the term of one of the members of the board expires, his successor shall be elected from any district in the county. Upon the election and qualification of the members of the county board of education, all members shall serve for terms of six years and until their successors are elected and qualified in the same manner as here in provided.

Section 2. All members of the said county board of education shall have at least a high school education or hold a certificate of high school equivalency, shall be of good standing in the community, and known for their honesty, business ability, public spirit and interest in the good of public education.

Section 3. The compensation of all members of the Cleburne County board of education shall be paid according to the provisions of Title 52, Section 68, Code of Alabama 1940, as amended.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with This Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 4, May 11, May 18, and May 25, all in the year 1967.

JACK R. WOOD.

Sworn to and subscribed before me June 25, 1967.

GRAYDON H. GENGE.

Also:

By Messrs. Downing, Marr and Grayson:

H. 487. To fix the compensation or salary of the clerk of the circuit court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent federal decennial census, and to provide for the payment thereof.

Also:

By Messrs. Downing, Marr and Grayson:

H. 488. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Also:

By Messrs. Collins (C), Hogan, Collins (W), Downing and Grayson:

H. 374. To amend further Section 3 of Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an act relating to the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000, so as to make further provisions respecting the compensation of the license commissioner.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 162, 346, 392, 417, 418, 463, 466, 467, 487, 488, and 374. To the Committee on Local Legislation No. 1

(The above numbered Bill, H. B. 162, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stembridge and Crawford:

H. 338. To further amend Act No. 11, S. 88, Regular Session 1957, an act providing for deputies, clerks, and other assistants of certain officers of Houston County, Alabama; regulating the compensation of such deputies, clerks and assistants.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that there will be introduced in the present session of the Legislature of Alabama a bill as follows:

A BILL TO BE ENTITLED AN ACT

To further amend Act. No. 11, S. 88, Regular Session 1957, an act providing for deputies, clerks, and other assistants of certain officers of Houston County, Alabama; regulating the compensation of such deputies, clerks and assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1, 2, 3, 4 and 6 of Act. No. 11, S. 88, approved May 30, 1957 (Acts of Alabama 1957, Vol. 1, p. 35), an act providing for the employment of deputies, clerks and other assistants to certain officers of Houston County, Alabama are amended to read as follows:

"Section 1. The tax assessor of Houston County, Alabama, is hereby authorized and empowered to appoint one chief clerk whose salary shall be not less than thirty-six hundred dollars (\$3,600.00) per annum during the first year of employment, and one clerk whose salary shall be not less than three thousand dollars (\$3,000.00) per annum during the first year of employment. Each of these clerks shall be entitled to an increase in salary after each year of employment through the first ten years of such employment of not less than ten dollars (\$10.00) per month; and thereafter each shall be entitled to an additional increase of not less than twenty dollars (\$20.00) per month after each additional five year period of employment. Such increases shall be subject to the approval of the tax assessor. The tax assessor is also authorized and empowered to appoint extra clerks and assistants as he deems necessary, but their combined salaries shall not exceed the sum of twenty-four hundred dollars (\$2400.00) per annum.

"Section 2. The tax collector of Houston County, Alabama, is hereby authorized and empowered to appoint one chief clerk whose salary shall be not less than thirty-six hundred dollars (\$3,600.00) per annum during the first year of his employment, and he may appoint such additional clerks and assistants as he may deem necessary, but their salaries shall not exceed the sum of twenty-four hundred dollars (\$2,400.00) per annum. The chief clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment of not less than ten dollars (\$10.00) per month; and thereafter he shall be entitled to an additional increase of not less than twenty dollars (\$20.00) per month after each additional five year period of employment. Such increases shall be subject to the approval of the tax collector.

"Section 3. The judge of probate of Houston County, Alabama, is hereby authorized and empowered to appoint one chief clerk whose compensation shall be a salary not less than thirty-six hundred dollars (\$3,600.00) during the first year of his employment; five clerks, each of whom shall be entitled to an annual salary of not less than three thousand dollars (\$3,000.00) during the first year of his employment; and such extra and additional clerks and deputies as may be necessary, but their combined salaries shall not exceed the sum of three thousand (\$3,000.00) per annum. The chief clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basis salary; and thereafter to additional increases after each additional five-year period of employment in amounts equal to ten percent of the basic salary; the five clerks mentioned herein shall be entitled to an increase in salary after each year of employment through the first ten years of such employment of not less than ten dollars (\$10.00) per month; and thereafter each shall be entitled to an additional increase of not less than twenty dollars (\$20.00) per month after each additional five year period of employment. Such increases shall be subject to the approval of the judge of probate.

"Section 4. The clerk of the circuit court of Houston County, Alabama, is hereby authorized and empowered to appoint one chief clerk whose compensation shall be an annual salary of not less than thirty-six hundred dollars (\$3,600.00) during the first year of his employment; and two additional clerks whose salary shall be not less than three thousand dollars (\$3,000.00) during the first year of each of their employment.

The chief clerk and the additional clerks herein authorized shall be entitled to an increase in salary after each year of employment through the first ten years of such employment of not less than ten dollars (\$10.00) per month; and thereafter each shall be entitled to an additional increase of not less than twenty dollars (\$20.00) per month after each additional five year period of employment. Such increases shall be subject to the approval of the clerk of the circuit court.

"Section 6. The register of the circuit court of Houston County, Alabama, is hereby authorized and empowered to appoint one chief clerk whose compensation shall be an annual salary of not less than thirty-six hundred dollars (\$3,600.00) during the first year of such clerk's employment. The chief clerk herein authorized shall be entitled to an increase in salary after each year of employment through the first ten years of such employment of not less than ten dollars (\$10.00) per month; and thereafter shall be entitled to an additional increase of not less than twenty dollars (\$20.00) per month after each additional five year period of employment. Such increases shall be subject to the approval of the register of the circuit court."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mirl Crosby, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said newspaper on May 23, 1967, May 30, 1967, June 6, 1967 and June 13, 1967.

MIRL CROSBY.

Sworn to and subscribed before me this 14 day of June, 1967.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Graham and Berryman (W):

H. 400. To apply only in counties having not less than 46,500 nor more than 48,000 according to the most recent federal decennial census, further regulating the compensation of the register of the circuit court of such counties.

Also:

By Messrs. Berryman (W) and Graham:

H. 405. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

By Messrs. Berryman (W) and Graham:

H. 406. To regulate the compensation of jurors in counties having populations of not less than 21,900 nor more than 22,300.

Also:

By Messrs. Berryman (W) and Graham:

H. 407. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

Also:

By Messrs. Berryman (W) and Graham:

H. 409. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

Also:

By Messrs. Adwell, Dill, Kilgore, Sessions, Weeks, Gloor, Yeilding, Ellis, Cherner, Bowers, Waggoner, Crane, Cook (Jefferson) and House:

H. 422. To provide for, regulate, and control the ownership, use, operation and maintenance of passenger automobiles by all cities in this State having a population of 300,000 persons or more, according to the last or any subsequent federal census; to provide the terms and conditions under which officers, deputies, agents and employees of such cities may be provided with such automobiles by such cities, or may use the same and the storage thereof; to generally provide for the use, operation, maintenance, identification and general control of such automobiles so as to prevent fraud and imposition on such cities by those using the same, as well as others, and to provide the punishment for the violation hereof.

Also:

By Messrs. Adwell, Dill, Holman, Kilgore, Sessions, Weeks, Yeilding, Gloor, Ellis, Cherner, Bowers, Waggoner, Crane, Cook (Jefferson) and House:

H. 423. To provide that the governing body of any municipality having three hundred thousand inhabitants or more according to the last or any subsequent federal census shall have the power and authority to adopt ordinances and regulations under the police power of such municipality, and provide for the enforcement thereof upon any land owned by such municipality situated without the corporate limits of such municipality and not in the corporate limits of any other municipality, the same as if such land owned by the municipality were within the corporate limits thereof.

Also:

By Messrs. Adwell, Dill, Holman, Kilgore, Sessions, Weeks, Gloor, Yeilding, Ellis, Cherner, Bowers, Waggoner, Crane, Cook (Jefferson) and House:

H. 424. To authorize the governing body of every city having a population of three hundred thousand persons or more, according to

the last or any subsequent federal census, to provide by ordinance for the destruction of records of such city, including public records thereof, determined by such governing body to be obsolete and no longer needed for public purpose.

Also:

By Messrs. Adwell, Dill, Holman, Kilgore, Sessions, Weeks, Yeilding, Gloor, Ellis, Cherner, Bowers, Waggoner, Crane, Cook (Jefferson) and House:

H. 425. To provide, in any city of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, upon conviction of the defendant in the court to which an appeal is taken from a judgment rendered in a Recorder's Court in the city or upon the entering of a judgment of forfeiture against the defendant, there shall be added to the other costs a city solicitor's fee of Ten Dollars to be paid to the city in the same manner as fines are paid; and to repeal all laws or parts of laws in conflict thereof.

Also:

By Messrs. Yeilding, Dill, Sessions, Bowers, Gloor, Holman, Kilgore, Cherner, Waggoner, Weeks, Watkins, Adwell, Ellis and House:

H. 426. To amend an Act entitled "An Act to fix the compensation of Supernumerary Circuit Judges", being Act No. 132, approved July 7, 1965.

Also:

By Messrs. Adwell, Dill, Holman, Kilgore, Sessions, Weeks, Yeilding, Gloor, Ellis, Cherner, Bowers, Waggoner, Crane, Cook (Jefferson) and House:

H. 427. To create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city, and for the widows and dependents of such officers and employees, to provide for a custodian of such fund, and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose.

Also:

By Messrs. Holman, Gloor, Dill, Cherner, Yeilding, Bowers, Waggoner, Kilgore, Sessions, Weeks, Adwell, Watkins, Cook (Jefferson), Ellis and House:

H. 428. To authorize the Mayor and City Council of the City of Graysville, Alabama, to convey to the First Baptist Church of Graysville, Incorporated, a certain surplus or fragmentary portion of public park property lying and being situated within the corporate limits of the City of Graysville, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice hereby is given that application will be made to the next session of the legislature of the State of Alabama, either regular or special session, whichever first convenes, for the enactment of a bill in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To Authorize the Mayor and City Council of the City of Graysville, Alabama, to convey to the First Baptist Church of Graysville, Incorporated, a certain surplus or fragmentary portion of public park property lying and being situated within the corporate limits of the City of Graysville, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That upon the payment of the sum of One Hundred Dollars to the City of Graysville, the Mayor and City Council of the City of Graysville shall be, and hereby are authorized and empowered to convey to the First Baptist Church of Graysville, Incorporated, the following described fragmentary parcel of public park property lying within the corporate limits of the City of Graysville, viz:

Begin at the southwest corner of the Southwest quarter of the Southeast quarter of Section 20, Township 16 South, Range 4 West of the Huntsville Principal Meridian; run thence east along the south boundary of said quarter-quarter section 984.30 feet; thence to the left at an angle of 90 degrees northerly 105.0 feet for the point of beginning of the tract herein described. Run thence to the left at an angle of 90 degrees westerly 21.91 feet; thence to the right at an angle of 91 degrees 01 minutes 92.76 feet; thence to the right at an angle of 92 degrees 44 minutes 271.45 feet to the westerly boundary of the right of way of Main Street (old U. S. Highway No. 78); thence to the right at an angle of 176 degrees 15 minutes 250.60 feet; thence to the left at an angle of 90 degrees southerly 75 feet to the point of beginning; said tract containing 4,000.28 square feet or .0918 acre.

Section 2. That prior to the conveyance of said parcel of land the City Council shall adopt a resolution authorizing the Mayor to execute a conveyance of said parcel of land to the said First Baptist Church of Graysville, Incorporated.

Section 3. That pursuant to the provisions of Section 2 hereof, the Mayor shall execute and deliver to the purchaser a statutory warranty deed on behalf of the City of Graysville, a municipal corporation, in his official capacity as mayor, and such conveyance shall invest in the grantee therein named all public rights in and to said parcel of land, and all right, title, and interest of the City of Graysville.

Section 4. That the net proceeds of such sale shall be paid into the general fund of the City of Graysville.

Section 5. That this act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the

issues of Mar. 11, 1967 March 18, 25; April 1, 1967, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 24th day of April, 1967

ANGIE CAMPISI,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 338, 400, 405, 406, 407 and 409. To the Committee on Local Legislation No. 1

H. B.'s 422, 423, 424, 425, 426, 427 and 428. To the Committee on Local Legislation No. 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (P):

H. 300. To control, eradicate and prevent the spread of hog cholera disease among swine by authorizing the State Board of Agriculture and Industries to adopt rules and regulations governing the manufacture, sale, distribution and use of all products used for immunization, treatment and protection of swine from such disease; and to prescribe a penalty for violations of this Act.

Also:

By Messrs. Smith (P), Beck and Bolton:

H. 307. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

Also:

By Messrs. Smith (P), Beck and Bolton:

H. 306. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

Also:

By Messrs. Smith (P), Beck and Bolton:

H. 305. To amend Act No. 543, H. B. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

Also:

By Mr. Merrill:

H. 322. Relating to payment by credit unions of share and deposit accounts not exceeding one thousand dollars (\$1,000) on the death of persons having such accounts; and discharging credit unions from further liability in respect to such accounts by payment of same to designated persons.

Also:

By Mr. Merrill:

H. 323. To amend Act No. 603, H. B. 69, Regular Session 1957, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies (Acts 1957, v. 2, p. 862), so as to regulate further the fees imposed for examination of credit unions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 300. To the Committee on Agriculture

H. B.'s 307, 306 and 305. To the Committee on Counties and County Boundaries

H. B.'s 322 and 323. To the Committee on Banking

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Springer and Cameron:

H. 155. To amend Code of Alabama, Title 13, Sections 49, 51, and 57, relating to the Clerk of the Supreme Court.

Also:

By Messrs. Springer and Cameron:

H. 156. To amend Code of Alabama, Title 13, Section 79, relating to Assistant Marshal and Librarian of the Supreme Court of Alabama.

Also:

By Messrs. Springer and Cameron:

H. 157. To amend Code of Alabama, Title 13, Section 78, relating to the Marshal and Librarian of the Supreme Court.

Also:

By Mr. Turnham:

H. 255. To provide for certain allowable paid leaves of absence for teachers and employees of state trade schools.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 155, 156 and 157. To the Committee on Judiciary

H. B. 255. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Springer:

H. 277. To amend Sections 1 and 3 of Act No. 77, H. 85, Second Special Session 1965 (Acts Second and Third Special Sessions 1965, p. 102) an act authorizing and regulating the introduction in evidence of certified copies of certain hospital records when the original thereof would be admissible, so as to include records of hospitals operated under or pursuant to any law or regulation of the United States government or any department or agency thereof.

Also:

By Mr. Blanton:

H. 42. Relating to crimes and offenses; making blackmail a felony; amending Code of Alabama 1940, Title 14, Section 49.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 277 and 42. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bowers, Ellis, Holman, Waggoner, Kilgore, Adwell, Watkins, Weeks, Jackson (T), Gloor and Cook (Jefferson):

H. 113. To make it unlawful to entice children for immoral purposes or for the purpose of committing assaults; and prescribing penalties for violations of the Act.

Also:

By Messrs. Bowers, Ellis, Holman, Waggoner, Kilgore, Adwell, Weeks, Watkins, Jackson (T), Gloor and Cook (Jefferson):

H. 115. To amend Act No. 397, S. 279, Regular Session 1955 (Acts 1955, p. 932), an act defining the crime of indecent molestation of children and fixing the punishment therefor.

Also:

By Messrs. Meeks, Bowers, Springer, Melton, Edington and Wright:

H. 139. To amend Act No. 390, H. B. 484, approved September 4, 1957, an act giving the circuit court in equity the power to divorce persons from the bonds of matrimony in favor of either party where there has been a final decree of divorce from bed and board or of separate maintenance (Acts 1957, v. 1, p. 532).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 113 and 115. To the Committee on Judiciary.

H. B. 139. To the Committee on Fish and Game

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Edington, Downing and Grayson:

H. 72. To amend further Act No. 422, H. 325, Regular Session 1951, an act known as "The Alabama Real Estate License Law of 1951."

Also:

By Mr. Downing:

H. 209. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

Also:

By Messrs. Merrill, Cook (Jefferson), Jackson (T), Bowers and Collins (W):

H. 233. To require certain sex offenders to register with the sheriff of the county where they reside; to require and provide for maintenance of registers or rosters of persons registering under this act by the several sheriffs and by the state department of public safety; and to prescribe the punishment for wilful failure or refusal to so register.

Also:

By Messrs. Merrill, Cook (Jefferson), Jackson (T), Bowers and Collins (W):

H. 234. To require law enforcement officers to report all arrests of persons charged with certain sex offenses and all courts having jurisdiction of such offenses to report all convictions therein of such offenses to the state department of public safety; to require the state department of public safety to adopt and maintain a system of registering or recording and indexing such information and making it available only to duly constituted law enforcement officers for the purpose of apprehending and convicting sex offenders and preventing and curtailing sex crimes; and to prescribe penalties.

Also:

By Mr. Smith (P):

H. 298. To amend Code of Alabama 1940, Title 30, Section 97, in relation to the lodging of jurors when the jury is kept together.

Also:

By Mr. Smith (P):

H. 304. To amend Code of Alabama 1940, Title 14, Section 426, in relation to the penalty for trespass after warning.

Also:

By Messrs. Springer, Culver, Cameron, Hobbie, McElhaney, Harris and Smith (C):

H. 146. Relating to membership of state, municipal, and volunteer firefighters in organizations asserting the right to strike; prohibiting participation by firefighters in any strike against the state or any municipality in the state, and prohibiting their membership in any organization that asserts the right to strike against the state or any municipality in the state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 72, 233, 234, 298 and 304. To the Committee on Judiciary

H. B. 209. To the Committee on Finance and Taxation

H. B. 146. To the Committee on Immigration, Industrial Resources and Labor

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, Shumate, Bowers, Brown, Waggoner, Burgess, Starnes, and Smith (C):

H. 402. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

Also:

By Messrs. Drake, Shumate, Bowers, Brown, Burgess, Waggoner, Starnes and Smith (C):

H. 403. To preserve law and order by proscribing, prohibiting and penalizing incitement to crime or to riotous conduct.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 402 and 403. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Springer:

H. 276. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 276. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Blanton:

H. 44. Relating to crimes and offenses; providing further for the punishment for wilful and wanton destruction of property of another; amending Act No. 38, H. 101, Regular Session 1951 (Acts 1951, p. 247) so as to make certain of such acts felonies and to fix the punishment therefor and to include public property in the provisions of the act.

Also:

By Messrs. Cameron, Hobbie, Springer, Harris and McElhaney:

H. 82. To provide that the disability or death of a firefighter caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for firefighters who, while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of firefighters who, while employed by a municipality, are killed in the line of duty.

Also:

By Mr. Neville:

H. 186. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

Also:

By Messrs. Perloff, Wright, Beck, Jackson (T), Neville, Wood, Edington, Melton, Cameron, Manley, Springer, Hardin, Grayson, Ellis, Williams, Lemley, Snell, Cook (Jefferson), Sessions, Adwell, Haygood, Waggoner, Holman, Cherner, Cook (Coffee), Headley, Agee, Collins (W), Foshee, Meade, Hobbie, McElhaney, Marr, Gloor, Stembridge, Crane, Crawford, Jackson (F), Bassett, Collier, Young, Fine, Malone, Hill, Dill, Berryman (W), Kilgore, Brassell, Brannan, Owen (Baldwin), Drake, Smith (C), Culver and Bank:

H. 205. To prescribe a summary judgment rule to apply in the circuit courts and in courts of full like jurisdiction in all suits of a civil nature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 44 and 205. To the Committee on Judiciary

H. B. 82. To the Committee on Immigration, Industrial Resources and Labor

H. B. 186. To the Committee on Public Roads and Highways

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Springer and Cameron:

H. 154. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Article 6, Section 164 of the Constitution of Alabama relative to the Clerk of the Supreme Court.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 154. To the Committee on Constitution and Constitutional Revision and Amendments

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Weeks and Bowers:

H. 117. To amend Code of Alabama 1940, Title 39, Section 184, in relation to the designation of legal holidays, providing that November 11 each year shall be observed as veterans' day.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 117. To the Committee on Public Buildings and Grounds

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from Her Excellency, the Governor, proposing an amendment to the bill, H. 99, said Governor's message being in words and figures as follows, to wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 99, with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

June 29, 1967

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 99, without my approval and with a suggested executive amendment.

It is suggested that Section 5 (a) of House Bill No. 99 be amended to read as follows:

"Section 5. (a) Nothing in this act shall be deemed to authorize the movement of any such house or object upon or along any state road, but such movement may be made, where necessary, over the shortest distance across a state road, provided however, that the State Highway Department retains the sole right to issue permits for any such movement along any distance of a State road, and provided further that flagmen with visible flags or red lights are stationed to warn oncoming traffic at a distance of at least five hundred feet on each side of the place where such crossing is being made, and provided the movement is completed as soon as is reasonably possible."

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

LURLEEN B. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 99, by a vote of Yeas 83, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 99. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

as amended by the amendment proposed by Her Excellency, the Governor, was again read at length and passed by a vote of Yeas 90, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by Her Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Folsom, the Senate concurred in and adopted the amendment proposed by Her Excellency, the Governor, to the Bill, H. B. 99, the title of which and said Executive Amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham
Adams	Gilmore	McCarley	Pierce
Albea	Givhan	McDermott	Skidmore
Bailes	Goodwyn	Morrow	Stone
Branyon	Jackson	O'Bannon	Torbert
Carr	Leonard	Oden	Turner
Childs	Lindsey		

—25

Nays:

—0

Which was a majority of the whole number elected to the Senate.

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 55. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Nineteenth Legislative Day only:

S. 312, p. 18

S. 324, p. 14

H. 36, p. 31
 S. 302, p. 23
 S. 125, p. 8
 S. 171, p. 7
 S. 338, p. 32
 H. 218, p. 31
 S. 163, p. 26
 S. 109, p. 11
 S. 232, p. 14
 S. 315, p. 21
 S. 316, p. 23

On motion of Mr. Clark, said Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 312. To amend Act No. 430, H. 327, Special Session 1966, which provides for the control of lysergic acid diethylamide (LSD-25) and other drug compounds (Acts Special Session 1966, p. 575).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Cooper	Hawkins	O'Bannon
Adams	Engel	Jackson	Oden
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca

—31

Nays: Messrs.: Leonard, Skidmore

—2

The Bill:

H. 36. Further regulating the liquor traffic in Colbert County and authorizing cities in such county to become wet cities if the legal possession, sale and distribution of alcoholic beverages is approved at an election held as authorized in this Act.

was taken up.

Mr. Adams moved that further consideration of the Bill, H. B. 36, be postponed until the Twenty-Sixth Legislative Day.

On motion of Mr. O'Bannon, the motion to postpone was laid on the table.

Yeas 21; Nays 9.

Yeas:

Messrs.:	Giles	McCarley	Pierce	
Albea	Givhan	McDermott	Skidmore	
Bailes	Goodwyn	Morrow	Torbert	
Carr	Harris	Nabors	Turner	
Dominick	Leonard	O'Bannon	Vacca	
Engel	Lindsey			—21

Nays:

Messrs.:	Carr	Jackson	Oden	
Adams	Cooper	Lolley	Stone	
Branyon	Folsom			—9

And said Bill, H. B. 36, was then read a third time at length and passed.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Giles	Lindsey	Pierce	
Albea	Givhan	McCarley	Skidmore	
Bailes	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Turner	
Dominick	Hawkins	Nabors	Vacca	
Engel	Leonard	O'Bannon		—22

Nays:

Messrs.:	Cooper	Jackson	Oden	
Adams	Folsom	Lolley	Stone	
Branyon				—8

The Bill:

S. 302. To provide that a dog guide may accompany a blind person in any place of public accommodation or public conveyance; to provide that violation of this Act shall be a misdemeanor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	Nabors	Vacca	
Dominick	Jackson	O'Bannon		—30

Nays:

—0

The Bill:

S. 125. Relating to motor vehicles, requiring that seat safety belts and anchors sold or installed for use in connection with the operation of

motor vehicles on any highway in this state meet specifications prescribed by the Department of Public Safety; and prescribing penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Nabors	
Adams	Engel	Leonard	O'Bannon	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Goodwyn	McCarley	Skidmore	
Childs	Harris	McDermott	Stone	
Clark	Hawkins	Morrow	Vacca	
Cooper				—28

Nays: —0

The Bill:

S. 171. To provide that in all misdemeanor cases for the violation of the Water Safety Act and regulations promulgated thereunder and in all misdemeanor cases for the violation of future laws to be enforced by the Water Safety Division where the defendant pleads guilty and no appeal is taken, no fee shall be taxed or collected for trial tax, solicitor's fees, or entering judgment in such cases cognizable in justice of the peace courts, county courts, inferior courts, law and equity courts, or courts of like jurisdiction.

was taken up.

Mr. McCarley moved that further consideration of the Bill, S. B. 171, be postponed until the Twenty-Fourth Legislative Day. On motion of Mr. Cooper, the motion to postpone was laid on the table.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham	
Adams	Engel	Lolley	Pierce	
Bailes	Giles	McDermott	Skidmore	
Branyon	Gilmore	Morrow	Stone	
Carr	Givhan	Nabors	Torbert	
Childs	Goodwyn	O'Bannon	Vacca	
Clark	Jackson	Oden		—26

Nays: Messrs.: Folsom, McCarley —2

Mr. Clark moved that further consideration of the Bill, S. B. 171, be postponed until the next Legislative Day, which motion was adopted.

The Bill:

H. 218. To authorize county governing bodies to pay expenses in defending lawsuits brought against county officials growing out of the performance of their official duties.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham
Albea	Gilmore	Lindsey	Pierce
Bailes	Givhan	McCarley	Skidmore
Branyon	Goodwyn	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Turner
Cooper	Jackson	O'Bannon	Vacca
Dominick			

—28

Nays:

—0

The Bill:

S. 338. Relating to public health; making further provisions respecting the regulation and control of the manufacture, distribution, delivery and possession of depressant and stimulant drugs; providing for enforcement of the Act and prescribing penalties.

was taken up.

The Standing Committee on Public Health reported the following substitute for the Bill, S. B. 338, to-wit:

PUBLIC HEALTH COMMITTEE

SUBSTITUTE FOR S. B. 338

A BILL TO BE ENTITLED AN ACT

Relating to public health; making further provisions respecting the regulation and control of the manufacture, distribution, delivery and possession of depressant and stimulant drugs; providing for enforcement of the Act and prescribing penalties.

(PREAMBLE)

Findings and Declaration of Policy and Purpose—The Legislature of the State of Alabama hereby finds that it is essential to the public health and safety to regulate and control the manufacture, distribution, delivery and possession of depressant and stimulant drugs, and other drugs which have a potential for abuse because of their depressant or stimulant effect on the central nervous system or because of their hallucinogenic effect, as defined in this Act.

It is therefore, hereby declared to be the policy and intent of the Legislature and the purpose of this Act to regulate and control such manufacture, distribution, delivery, and possession, and in particular, but without limitation of such purpose, to afford the public the therapeutic benefits of such drugs, under medical supervision; to complement and supplement the laws and regulations of the Congress of the United States and the appropriate agencies of the Federal Government affecting such manufacture, distribution, and delivery; to prevent such manufacture, distribution and delivery for harmful or illegitimate purposes; and to place upon manufacturers, wholesalers, licensed, compounders of prescriptions, and persons prescribing such drugs, a basic responsibility for preventing the improper distribution of such drugs to the extent that such drugs are produced, handled, sold, or prescribed by them.

The Legislature further finds and declares that there is a substantial traffic in counterfeit drugs simulating the brand or other identifying mark or device of the manufacturer of the genuine article; that such traffic poses a serious hazard to the public health of innocent consumers of such drugs because of the lack of proper qualifications, facilities, and manufacturing controls on the part of the counterfeiter, whose operations are clandestine; and that these factors require enactment of additional controls with respect to such drugs.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of this Act—

(a) The term “person” includes individual, partnership, corporation, and association.

(b) (1) The term “drug” means (A) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia, of the United States, or official National Formulary, or any supplement to any of them; and (B) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; and (C) articles (other than food) intended to affect the structure or any function of the body of man or other animals; and (D) articles intended for use as a component of any article specified in clause (A) (B), or (C); but does not include devices or their components, parts, or accessories.

(2) The term “counterfeit drug” means a drug which, on the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a drug manufacturer, processor, packer, or distributor other than the person or persons who in fact manufactured, processed, packed, or distributed such drug and which thereby falsely purports, or is represented to be the produce of, or to have been packed or distributed by, such other drug manufacturer, processor, packer, or distributor or any drugs whose content is not what it is represented to be.

(c) The term “depressant or stimulant drug” means:

(1) Any drug which contains any quantity of (A) barbituric acid or any of the salts of barbituric acid; or (B) any derivative of barbituric acid.

(2) Any drug which contains any quantity of (A) amphetamine or any of its optical isomers; (B) any salt of amphetamine or any salt of an optical isomers of amphetamine; or (C) any substance designated by regulations promulgated by the Board as habit-forming because of its stimulant effect on the central nervous system; or

(3) Any drug which contains any quantity of a substance designated by regulations promulgated by the State Board of Health as having a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

(d) The term “manufacture, compound or process” shall include repackaging or otherwise changing the container, wrapper, or labeling of any drug package in the furtherance of the distribution of the drug from the original place of manufacture to the person who makes final delivery or sale to the ultimate consumer, and the term “manufacturers, compounders, and processors” shall be deemed to refer to persons engaged in such defined activities.

(e) The term “practitioner” means a physician, dentist, veterinarian, or other person licensed in this state to prescribe or administer drugs which are subject to this Act.

Section 2. The following acts and the causing thereof are hereby prohibited:

(a) The manufacture, compounding, or processing of a drug in violation of section 5(a).

(b) The sale, delivery, or other disposition of a drug in violation of section 5 (b).

(c) The possession of a drug in violation of section 5(c).

(d) Obtaining a drug in violation of section 5 (d).

(e) The failure to prepare or obtain, or the failure to keep, a complete and accurate record with respect to any drug as required by section 5 (e).

(f) The refusal to permit access to or copying of any record as required by section 5(e).

(g) The refusal to permit entry or inspection as authorized by section 5(e).

(h) The filling or refilling of any prescription in violation of section 5(f).

(i) Making, selling, disposing of, or keeping in possession, control, or custody, or concealing any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render such drug a counterfeit drug.

(j) The doing of any act which causes a drug to be a counterfeit drug, or the sale or dispensing, or the holding for sale or dispensing, of a counterfeit drug.

Section 3.

(a) Any person who violates any of the provisions of Section 2 shall be guilty of a felony and shall on conviction thereof be subject to imprisonment for not less than 2 nor more than 10 years and in addition may be fined not more than \$20,000; but if the violation is committed after a conviction of such person under this section has become final, such person shall be subject to imprisonment for not less than 5 nor more than 20 years and in addition may be fined not more than \$40,000; provided, however, that any person who, having attained his 18th birthday, violates section 2(b) by selling, delivering, or otherwise disposing of any depressant or stimulant drug to a person who has not attained his 21st birthday shall, if there be no previous conviction of such person under this section which has become final, be subject to imprisonment for not less than 10 nor more than 40 years, and in addition may be fined not more than \$20,000, and the imposition or execution of sentence shall not be suspended and probation shall not be granted.

(b) No person shall be subject to the penalties of subsection (a) of this section, for having violated sections 2(i) and (j) if such person acted in good faith and had no reason to believe that use of the punch, die, plate, stone, or other thing involved would result in a drug being a counterfeit drug or for having violated section 2(j) if the person doing the act or causing it to be done acted in good faith and had no reason to believe that the drug was a counterfeit drug.

Section 4.

(a) The following may be seized without warrant by agents authorized to enforce this Act and all peace officers of the state whenever they have reasonable grounds to believe they are:

(1) a depressant or stimulant drug with respect to which a prohibited Act within the meaning of section 2 has occurred (2) a drug that is a counterfeit, (3) a container of such depressant or stimulant drug or of a counterfeit drug, (4) equipment used in manufacturing, compounding, or processing a depressant or stimulant drug with respect to which drug a prohibited act within the meaning of section 2 has occurred, (5) any punch, die, plate, stone, labeling, container or other thing used or designed for use in making a counterfeit drug or drugs, and (6) any conveyance being used to transport, carry or hold a depressant or stimulant drug with respect to which a prohibited act within the meaning of section 2 has occurred; or any conveyance being used to transport, carry or hold a counterfeit drug in violation of section 5(b) of this Act. As used in this paragraph the term "conveyance" includes every description of vehicle, vessel, aircraft, or other contrivance used, or capable of being used as a means of transportation on land, in water, or through the air.

(b) **VEHICLES CONTRABAND AND SUBJECT TO FORFEITURE; SEIZURE.**—Any vehicle boat, aircraft or other conveyance which has been or is being used in violation of this Act except a vehicle, boat, aircraft or other conveyance used by any person as a common carrier in the transaction of business as such common carrier shall be contraband and shall be forfeited to the state of Alabama. Such vehicle, boat, aircraft or other conveyance shall be seized by any peace officer or other person acting under authority of law in the enforcement of this Act, who becomes cognizant of the facts, or who finds stimulant or depressant drugs being illegally transported in such vehicles or conveyances, and such officer or person shall report the seizure and the facts connected therewith to the solicitor or a prosecuting official in the county where the seizure is made or, in default thereof, to the attorney general of the state. In order to condemn and confiscate any such vehicle, boat, aircraft or other conveyance it shall not be necessary for the state to show any actual movement of such vehicle, vessel or aircraft while loaded with any stimulant or depressant drugs.

(c) **CONDEMNATION OF VEHICLES.**—It shall be the duty of such officer in the county, or the attorney general of the state, to institute at once or cause to be instituted condemnation proceedings in the circuit court by petition in equity in the name of the state against the property seized, describing the same, or against the person or persons in possession of said vehicles of transportation, if known, to obtain a decree enforcing the forfeiture. No replevin or detinue writ may be employed to retake possession of such seized property pending the forfeiture suit, but any party claiming a superior right may intervene by petition in said suit, and have his claim adjudicated. No vehicle, boat, aircraft, or other conveyance shall be forfeited unless the owner thereof authorized or knowingly permitted its use in violation of this chapter. This chapter shall not apply to innocent parties nor shall it operate to destroy any valid lien or any rights under any chattel mortgage, title retention contract, or conditional sale contract when the holder thereof is an innocent party. Any claimant of a right, title or interest in seized property may prove that such right, title or interest is bona fide and that it was created without knowledge that the property was being, or was to be, used for the purpose charged. The judge presiding in said circuit court or any division thereof, may superintend and make all proper orders and orders of publication of notice to be published for all parties claiming the said vehicles, boats, aircraft or other conveyances to come in and assert their right thereto. The said court shall have authority to frame all orders or procedure so as to regulate the proceedings that persons may have an opportunity to come in and propound their claim to the vehicles and other conveyances sought to be condemned.

(d) **CLAIMANT OF VEHICLE MAY GIVE BOND AND OBTAIN POSSESSION; EXECUTION ON BOND.**—Whenever a vehicle, boat, aircraft or other conveyance is seized by any officer of the state under authority of this Act, the defendant in the proceedings or the claimant of the property shall have the right to execute a bond in double the value of such property or of any item thereof with good and sufficient surety, to be approved by the sheriff or the register of the circuit court and conditioned that in the event the said property is condemned, to deliver the same to the sheriff within fifteen days from the date of such judgment of condemnation, and to pay any difference between the value of said property at the time of seizure and the time of the delivery to the sheriff after condemnation, such difference in value to be determined by the trial court upon motion of any party to said cause. Upon the execution of such bond, the sheriff shall deliver said property to the defendant or claimant executing the same. Upon failure of the defendant or claimant to deliver the property condemned within fifteen days after judgment of condemnation the bond shall be returned forfeited to the register of the circuit court and execution may issue thereon against the principal and his sureties for the amount of the value of such property; or in the case of the return of the property to the sheriff and the failure to pay the difference in value as above set forth, execution may issue against the principal and his sureties for such difference in value.

(e) **SALE OF FORFEITED VEHICLE.**—Any sheriff or other officer who seizes or comes into possession of such vehicle, boat, aircraft or other conveyance illegally used for the transportation of stimulant or depressant drugs in the state and does not know or cannot ascertain the possessor or owner thereof, shall advertise and sell the same according to the rules for selling personal property under execution, and both the court in condemnation proceedings, and the said officer on advertisement shall sell the right of all interested persons in and to said vehicles, boats, aircraft and other conveyances, who aided or assisted in the illegal transportation or who had knowledge or notice thereof, or could by reasonable diligence have obtained knowledge or notice thereof. When a vehicle has been ordered forfeited to the State, it shall be turned over to the Department of Finance, which shall deliver to the state agency primarily responsible for the seizure under this Act, such forfeited vehicles as may be needed by the agency to enforce the provisions of this Act.

(f) **DISPOSITION OF PROCEEDS OF SALE.**—The proceeds of the sale of any such property forfeited to the state, whether sold by court decree or by an officer under advertisement, shall, after paying all expenses in the cause, and of advertisement, as the case may be, including the costs of seizure and of keeping the property pending the proceedings, be applied as follows: one-half shall be paid into the general fund of the county in which the property is seized and the other one-half shall be paid into the general fund in the state treasury.

Section 5.

(a) No person shall manufacture, compound or process in this state any depressant or stimulant drug, except that this prohibition shall not apply to the following persons whose activities in connection with any drug are as specified in this subsection:

(1) Manufacturers, compounders, and processors, operating in conformance with the laws of this state relating to the manufacture, compounding or processing of drugs, who are regularly engaged in preparing pharmaceutical chemicals or prescription drugs for distribution through branch outlets, through wholesale druggists, or by direct shipment;

(A) to pharmacies or to hospitals, clinics, or physicians, for dispensing by registered pharmacists upon prescriptions, or for use by prac-

tioners licensed in this state to administer such drugs in the course of their professional practice; or

(B) to laboratories or research or educational institutions for their use in research, teaching or chemical analysis.

(2) Suppliers (operating in conformance with the laws of this state relating to the manufacture, compounding or processing of drugs) of manufacturers, compounders, and processors referred to in subparagraph (1).

(3) wholesale druggists who maintain their establishments in conformance with the state and local laws relating to the manufacture, compounding or processing of drugs and are regularly engaged in supplying prescription drugs (A) to pharmacies, or to hospitals, clinics, or physicians, for dispensing by registered pharmacists upon prescriptions or for use by practitioners licensed in this state to administer such drugs in the course of their professional practice, or (B) to laboratories or research or educational institutions for their use in research, teaching, or clinical analysis.

(4) Pharmacies, hospitals, and clinics which maintain their establishments in conformance with state and local laws regulating the practice of pharmacy and medicine which are regularly engaged in dispensing drugs upon prescriptions of practitioners licensed in this state to administer such drugs for patients under the care of such practitioners in the course of their professional practice.

(5) Practitioners licensed in this state to prescribe or administer depressant or stimulant drugs, while acting in the course of their professional practice.

(6) Persons who use depressant or stimulant drugs in research, teaching or chemical analysis and not for sale.

(7) Officers and employees of this state, or of a political subdivision of this state or of the United States while acting in the course of their official duties.

(8) An employee or agent of any person described in paragraph (1) through paragraph (6) of this subsection, and a nurse or other medical technician under the supervision of a practitioner licensed by law in this state to administer depressant or stimulant drugs, while such employee, nurse, or medical technician is acting in the course of his employment or occupation and not on his own account.

(b) No person other than:

(1) a person described in subsection (a), while such person is acting in the ordinary and authorized course of his business, profession, occupation, or employment, or

(2) a common or contract carrier or warehouseman, or an employee thereof, whose possession of any depressant or stimulant drug or counterfeit drug is in the usual course of his business or employment as such, shall sell, deliver or otherwise dispose of any depressant or stimulant drug or counterfeit drug to any other person.

(c) No person, other than a person described in subsection (a) or subsection (b) (2) shall possess any depressant or stimulant drug unless (1) such drug was obtained upon a valid prescription, and is held in the original container in which such drug was delivered; or (2) such drug was delivered by a practitioner in the course of his professional practice and the drug is held in the immediate container in which such drug was delivered.

(d) No person other than a person described in subsection (a) (7) shall obtain or attempt to obtain a depressant or stimulant drug by (1) fraud, deceit, misrepresentation or subterfuge; (2) falsely assuming the title of or representing himself to be a manufacturer, wholesaler, practitioner, pharmacist, owner of a pharmacy, or other persons authorized to possess stimulant or depressant drugs; (3) the use of a forged or altered prescription; or (4) the use of a false name or a false address on a prescription.

(e) (1) Every person engaged in manufacturing, compounding, processing, selling, delivering or otherwise disposing of any depressant or stimulant drug subject to the Bureau of Drug Abuse Control shall, upon the effective date of this Act, prepare a complete and accurate record of all stocks of each drug on hand and shall keep such record for three years; except that if this record has already been prepared in accordance with §511 (d) of the Federal Act, no additional record shall be required provided that all records prepared under §511(d) of the Federal Act have been retained and are made available to the inspectors of the State Board of Pharmacy and the agents and inspectors of the State Board of Health, and peace officers engaged in the enforcement of this Act upon request. When additional depressant or stimulant drugs are designated after the effective date of this Act, a similar record must be prepared upon the effective date of their designation. On and after the effective date of this Act, every person manufacturing, compounding, or processing any depressant or stimulant drug shall prepare and keep, for not less than three years, a complete and accurate record of the kind and quantity of each drug manufactured, compounded, or processed and the date of such manufacture, compounding, or processing; and every person selling, delivering, or otherwise disposing of any depressant or stimulant drug except those specifically exempted by the Bureau of Drug Abuse Control shall prepare or obtain, and keep for not less than three years, a complete and accurate record of the kind and quantity of each such drug received, sold, delivered, or otherwise disposed of, the name and address from whom it was received and to whom it was sold, delivered, or otherwise disposed of, and the date of such transaction.

(2) (A) Every person required by paragraph (1) of this subsection to prepare or obtain, and keep, records, and any carrier maintaining records with respect to any shipment containing any depressant or stimulant drug, and every person in charge, or having custody, of such records, shall upon request of duly authorized agents and inspectors designated by the State Board of Pharmacy and the State Board of Health, and peace officers engaged in the enforcement of this Act, permit such officer or employee at reasonable times to have access to and copy such records. For the purposes of verification of such records and of the enforcement of this Act, a duly authorized agent designated by the State Board of Pharmacy and the State Board of Health, and peace officers engaged in the enforcement of this Act, are authorized to enter, at reasonable times, any factory, warehouse, establishment, or vehicle in which any depressant or stimulant drug is held, manufactured, compounded, processed, sold, delivered, or otherwise disposed of and to inspect, within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle, and all pertinent equipment, finished and unfinished material, containers and labeling therein, and all things therein (including records, files, papers, processes, controls, and facilities); and to inventory any stock of any such drug therein and obtain samples of any such drug.

(3) The provisions of paragraphs (1) and (2) of this subsection shall not apply to a licensed practitioner described in subsection (a) (5) with respect to any depressant or stimulant drug received, prepared, processed, administered, or dispensed by him in the course of his profes-

sional practice, unless such practitioner regularly engages in dispensing any such drug or drugs to his patients for which they are charged, either separately or together with charges for other professional services.

(f) No prescription (issued before or after the effective date of this act) for any depressant or stimulant drug may be filled or refilled more than six months after the date on which such prescription was issued and no such prescription which is authorized to be refilled may be refilled more than five times, except that nothing in this Act shall be construed as preventing a practitioner from issuing a new prescription for the same drug either in writing or orally. Any oral prescription for such drug shall be promptly reduced to writing on a new prescription blank and filed by the pharmacist filling it.

Section 6.

The authority to promulgate regulations for the efficient administration and enforcement of this Act is hereby vested in the State Board of Pharmacy.

Section 7.

ENFORCEMENT OF LAW.—It shall be the duty of the State Board of Pharmacy and its drug inspectors to enforce all provisions of this Act. The drug and narcotic agents and inspectors of the Department of Public Health and all peace officers of the state and all prosecuting attorneys are charged with the enforcement of this Act. The drug inspectors of the State Board of Pharmacy and the drug and narcotic agents and inspectors of the Department of Public Health shall have the powers of peace officers in the performance of their duties.

Section 8.

All laws or parts of laws which conflict with this Act are repealed.

Section 9.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10.

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 11.

This Act may be cited as the Alabama Drug Abuse Control Act.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Branyon	Giles	McCarley	Skidmore
Carr	Gilmore	McDermott	Torbert
Childs	Givhan	Morrow	Turner
Clark	Goodwyn	Nabors	Vacca
Cooper	Jackson		

—25

Nays:

—0

And said Bill, S. B. 338, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clark	Harris	Morrow
Adams	Cooper	Hawkins	Nabors
Albea	Dominick	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Branyon	Giles	Lindsey	Torbert
Carr	Givhan	McCarley	Turner
Childs	Goodwyn	McDermott	Vacca

—27

Nays: —0

MOTION TO RECONSIDER

Mr. McCarley moved that the Senate reconsider the vote by which it adopted the motion to postpone further consideration of the Bill, S. B. 171, until the next Legislative Day, and the Senate did reconsider said vote.

Mr. McCarley then moved that the motion to postpone further consideration of the Bill, S. B. 171, be laid on the table, and the motion to table prevailed.

And said Bill:

S. 171. To provide that in all misdemeanor cases for the violation of the Water Safety Act and regulations promulgated thereunder and in all misdemeanor cases for the violation of future laws to be enforced by the Water Safety Division where the defendant pleads guilty and no appeal is taken, no fee shall be taxed or collected for trial tax, solicitor's fees, or entering judgment in such cases cognizable in justice of the peace courts, county courts, inferior courts, law and equity courts, or courts of like jurisdiction.

was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 1.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Albea	Giles	Leonard	Pierce
Bailes	Gilmore	Lindsey	Skidmore
Branyon	Givhan	McDermott	Stone
Childs	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—25

Nay: Mr. McCarley —1

BILLS ON THIRD READING RESUMED

The Bill:

S. 163. To provide for erection of certain markers on public highways to advertise tourist attractions; prescribing the duties and responsibilities of the Director of Publicity and Information and the Director of the State Highway Department in relation to the construction and erection of such markers; and providing for payment of costs.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Oden	
Adams	Giles	Leonard	Pierce	
Albea	Gilmore	Lindsey	Skidmore	
Bailes	Givhan	McCarley	Stone	
Branyon	Goodwyn	McDermott	Torbert	
Carr	Harris	Morrow	Turner	
Childs	Hawkins	O'Bannon	Vacca	
Dominick				—28

Nays: —0

The Bill:

S. 109. Proposing an amendment to Section 83 of Article 4, Constitution of Alabama, providing for election by secret ballot of the speaker and speaker pro tem of the house, president pro tem of the senate and members of the legislative council, committee on examiners of public accounts and the state building commission.

was read a third time at length as required by the Constitution and lost for failure to receive the required Constitutional majority.

Yeas 15; Nays 12.

Yeas:

Messrs.:	Carr	Harris	O'Bannon	
Adams	Childs	Hawkins	Pierce	
Albea	Dominick	McCarley	Skidmore	
Bailes	Gilmore	Morrow	Vacca	
				—15

Nays:

Messrs.:	Goodwyn	Nabors	Stone	
Branyon	Jackson	Oden	Torbert	
Engel	Lindsey	Pelham	Turner	
Folsom				—12

The Bill:

S. 232. To make an additional appropriation to the State Board of Education for the purpose of purchasing Free Textbooks.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Albea	Folsom	McCarley	Pierce	
Bailes	Giles	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Torbert	
Childs	Jackson	O'Bannon	Turner	
Clark	Leonard	Oden	Vacca	
Cooper	Lindsey			—29

Nay: Mr. Dominick —1

The Bill:

S. 315. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Skidmore
Branyon	Givhan	McDermott	Stone
Carr	Goodwyn	Morrow	Torbert
Childs	Hawkins	Nabors	Turner
Clark	Jackson	Oden	Vacca
			—27

Nays:

—0

The Bill:

S. 316. To preserve law and order by proscribing, prohibiting and penalizing incitement to crime or to riotous conduct.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce
Albea	Folsom	Lolley	Skidmore
Bailes	Givhan	McCarley	Stone
Branyon	Hawkins	McDermott	Torbert
Carr	Jackson	Nabors	Vacca
Childs	Leonard	Pelham	
			—22

Nays:

—0

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 56. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Nineteenth Legislative Day only:

S. 388, p. 32

S. 310, p. 17

S. 259, p. 9

S. 58, p. 8

S. 325, p. 16

S. 323, p. 22

S. 21, p. 24

S. 348, p. 27

S. 187, p. 12

S. 69, p. 7

S. 384, p. 31

On motion of Mr. Clark, said Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 388. To provide for the regulation of the practice of podiatry; to provide for the examination of applicants to practice podiatry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registration; to provide for a state board of podiatry; to provide for appointment of members thereof and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishments for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden
Albea	Giles	Lolley	Pelham
Bailes	Givhan	McCarley	Pierce
Branyon	Goodwyn	McDermott	Skidmore
Childs	Harris	Morrow	Stone
Clark	Hawkins	Nabors	Torbert
Cooper	Leonard	O'Bannon	Vacca

—27

Nays:

—0

The Bill:

S. 310. Proposing an amendment to Article XII, Section 225, as amended, of the Constitution of Alabama, in relation to indebtedness of incorporated municipalities.

was taken up.

Mr. McDermott offered the following substitute for the Bill, S. B. 310, to-wit:

SUBSTITUTE FOR SENATE BILL 310

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to Article XII, Section 225, as amended, of the Constitution of Alabama, in relation to indebtedness of incorporated municipalities.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and shall be submitted at the election provided for in Section 2 hereof:

"Section 225 of Article XII of the Constitution of Alabama shall be amended to read as follows:

Section 225. No city, town, or other municipal corporation having a population of less than six thousand, except as hereafter provided, shall become indebted in an amount, including present indebtedness, exceeding twenty per centum of the assessed value of the property therein, except for the construction of or purchase of water works, gas or electric lighting plants, or sewerage, or for the improvements of streets, for which purposes an additional indebtedness not exceeding three per centum may be created; provided, this limitation shall not affect any debt now authorized by law to be created, nor any temporary loans to be paid within one year, made in anticipation of the collection of taxes, not exceeding one-fourth of the annual revenues of such city or town. All towns and cities having a population of six thousand or more are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding twenty per centum of the assessed valuation of the property therein, provided that there shall not be included in the limitation of the indebtedness of such last described cities and towns the following classes of indebtedness, to-wit: Temporary loans, to be paid within one year, made in anticipation of the collection of taxes and not exceeding one-fourth of the general revenues, bonds, or other obligations already issued, or which may hereafter be issued for the purpose of acquiring, providing, or constructing school houses, water works, and sewers; and obligations incurred and bonds issued for street or sidewalk improvements, where the cost of the same, in whole or in part, is to be assessed against the property abutting said improvements; provided, that the proceeds of all obligations issued as herein provided in excess of said twenty per centum shall not be used for any purpose other than that for which said obligations were issued. Nothing contained in this article shall prevent the funding or refunding of valid obligations existing at the time of such funding or refunding. This section shall not apply to the cities of Sheffield and Tuscumbia.

The limitations specified in this section shall not be applicable to any obligations or indebtedness that may be exempted from the said limitations by the provisions of any portion of this constitution, including any amendment thereto at any time adopted."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Nabors
Adams	Dominick	Jackson	O'Bannon
Albea	Engel	Lindsey	Oden
Bailes	Folsom	Lolley	Pelham
Carr	Giles	McCarley	Pierce
Childs	Givhan	McDermott	Skidmore
Clark	Harris	Morrow	Vacca

—27

Nays:

—0

And said Bill, S. B. 310, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nay 1.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Bailes	Engel	Lindsey	O'Bannon
Branyon	Folsom	Lolley	Oden
Carr	Giles	McCarley	Pierce
Childs	Givhan	McDermott	Skidmore
Clark	Harris	Morrow	Stone
Cooper			

—24

Nay: Mr. Albea

—1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 218. To authorize county governing bodies to pay expenses in defending lawsuits brought against county officials growing out of the performance of their official duties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 259. To amend further Section 440 of Title 37 of the Code of Alabama, 1940, as amended, relating to municipal operations.

was taken up.

Mr. Dominick moved that further consideration of the Bill, S. B. 259, be postponed until the next Legislative Day. On motion of Mr. McDermott, the motion to postpone was laid on the table.

And said Bill, S. B. 259, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 3.

Yeas:

Messrs.:	Givhan	Lolley	Pelham
Bailes	Goodwyn	McCarley	Pierce
Childs	Hawkins	McDermott	Skidmore
Clark	Jackson	Morrow	Stone
Cooper	Leonard	Nabors	Torbert
Engel	Lindsey	O'Bannon	Vacca
Giles			

—24

Nays: Messrs.: Albea, Dominick, Harris

—3

The Bill:

S. 58. To amend further Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

was taken up.

Mr. McDermott offered the following substitute for the Bill, S. B. 58, to-wit:

SUBSTITUTE FOR S. B. 58

A BILL TO BE ENTITLED AN ACT

To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 288, approved July 7, 1945, an act providing for appointment and designation of supernumerary circuit judges (General Acts 1945, p. 478), as amended, is amended further to read as follows:

"Section 1. Any circuit judge, or former circuit judge of this State:

"(a) who has served continuously for fifteen years as circuit judge and/or district attorney and/or circuit solicitor, and who has become physically unable to carry out his duties on a full time basis, proof of such disability being made by certificate of three reputable physicians; or

"(b) who has served continuously for fifteen years as circuit judge and/or district attorney and/or circuit solicitor, and who is not less than sixty-five years of age; or, who has served as such continuously for more than fifteen years and has attained age 65 less one year for each year of service in excess of 15; or

"(c) who has served continuously for ten years as circuit judge and/or district attorney and/or circuit solicitor and who is not less than seventy years of age; or

"(d) who has served in that office and/or as circuit solicitor and/or as district attorney for not less than 24 years, or for not less than four

terms, the last 10 years of such service having been continuous, may elect to become a supernumerary Circuit Judge of the State by filing a written declaration to that effect with the Governor at any time not more than 90 days prior to the end of the 24 year period;

"(e) who has served continuously for not less than fifteen years as circuit judge and/or as judge of a court of record and who is not less than seventy years of age;

"(f) who has served continuously for not less than twenty years as a circuit judge; may elect to become a supernumerary circuit judge of the State by filing a written declaration to that effect with the Governor. If the Governor shall find that any such declarant qualified under either subdivision (a), (b), (c), (d), (e), or (f.), hereinabove set forth, a commission as supernumerary circuit judge of the State of Alabama shall thereupon be issued to such declarant by the Governor. The office of circuit judge made vacant by the election of such declarant shall be filled by appointment of the Governor as now provided by law. This section shall apply only to circuit judges who has been elected to that office."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	McCarley	Pelham	
Albea	Givhan	McDermott	Pierce	
Clark	Goodwyn	Morrow	Skidmore	
Cooper	Jackson	Nabors	Stone	
Dominick	Leonard	O'Bannon	Torbert	
Engel	Lindsey	Oden	Vacca	
Folsom	Lolley			—25

Nays:

—0

And said Bill, S. B. 58, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Oden	
Albea	Giles	Lolley	Pelham	
Branyon	Givhan	McCarley	Pierce	
Carr	Goodwyn	McDermott	Skidmore	
Clark	Harris	Morrow	Stone	
Cooper	Hawkins	Nabors	Torbert	
Dominick	Jackson	O'Bannon	Vacca	
Engel	Leonard			—29

Nays:

—0

The Bill:

S. 325. To amend Section 8 of Act No. 861, S. 14, Regular Session of the Legislature of 1951 (Acts of 1951, Vol. 2, p. 1496), approved September 12, 1951, which relates to the registration of cattle brands and the duty of livestock markets, dealers and slaughterers relative to keeping records of cattle brands.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins	Oden		—30

Nays:

—0

The Bill:

S. 323. To require all persons in charge of laboratories that perform tests for syphilis to make a report of reactive or positive tests to the State Board of Health; to authorize the Board of Health to make pertinent rules and regulations; to declare such reports confidential, and to provide punishment for violating this act or rules and regulations; to repeal conflicting laws: and to provide for the effective date hereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Jackson			—29

Nays:

—0

The Bill:

S. 21. To make an appropriation for capital outlay for the Alabama Pesticide Residue Laboratory of the Department of Agriculture and Industries.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 21, to-wit:

AMENDMENT TO S. B. 21

AMEND Senate Bill 21 by striking out the figures "\$40,000" where said figures appear in Section 1 of said bill and insert in lieu thereof the figures "\$23,000".

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	O'Bannon	
Albea	Folsom	Lindsey	Oden	
Bailes	Giles	Lolley	Pelham	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Jackson			—29

Nays: —0

And said Bill, S. B. 21, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Morrow	
Albea	Folsom	Jackson	O'Bannon	
Bailes	Giles	Leonard	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Lolley	Stone	
Childs	Goodwyn	McCarley	Turner	
Clark	Harris	McDermott	Vacca	
Cooper				—28

Nays: —0

The Bill:

S. 187. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, in relation to the compensation and expenses of members of the board.

was taken up.

Mr. McCarley moved that further consideration of the Bill, S. B. 187, be postponed until the next Legislative Day. On motion of Mr. Turner, the motion to postpone was laid on the table.

And said Bill, S. B. 187, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	McDermott	Stone	
Childs	Harris	Morrow	Torbert	
Clark	Hawkins	Nabors	Turner	
Cooper	Jackson	O'Bannon	Vacca	
				—31

Nays: —0

The Bill:

S. 69. Relating to fish; authorizing the Director of Conservation, under certain conditions, to promulgate rules and regulations for the taking of non-game fish from the public waters of this State by the use of wire baskets; levying a privilege license tax on each such wire basket; prohibiting the sale of fish so taken; repealing all laws and especially local laws in conflict herewith, and prescribing the penalty for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Giles	Lindsey	Pelham	
Albea	Gilmore	Lolley	Pierce	
Bailes	Givhan	McCarley	Skidmore	
Carr	Goodwyn	McDermott	Stone	
Clark	Hawkins	Nabors	Torbert	
Cooper	Jackson	O'Bannon	Turner	
Engel	Leonard	Oden	Vacca	
Folsom				—28

Nays:

—0

The Bill:

S. 348. To amend Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to provide for the continued existence of any corporation organized under the said act until dissolved in the manner provided therein.

was taken up.

On motion of Mr. Turner, further consideration of the Bill, S. B. 348, was postponed until the next Legislative Day as Unfinished Business.

The Bill:

S. 384. To further amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Albea	Folsom	Leonard	Oden	
Bailes	Giles	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Pierce	
Carr	Givhan	McCarley	Skidmore	
Childs	Goodwyn	McDermott	Stone	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	Nabors		—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 50. WHEREAS, the State of Alabama has become a symbol and a shining light for the preservation of liberty and freedom; and

WHEREAS, people throughout the United States are thankful for the leadership Alabamians are giving in the present fight for the preservation of the right of the people to govern themselves; and

WHEREAS, the Alabama State Flag and the Confederate Battle Flag have today become beacons for those who believe in local self-government, private property rights and individual liberty and freedom; and

WHEREAS, it is the express desire of the Governor of Alabama, Her Excellency Lurleen B. Wallace, in order to pay tribute to this rich heritage of the State of Alabama, that all state supported institutions of higher learning should prominently display the Alabama Flag and the Confederate Battle Flag along with the American Flag at Homecoming festivities each year and that the band play the "Star Spangled Banner", "Alabama" and "Dixie" respectively as each flag is hoisted; and

WHEREAS, it is both fitting and proper, therefore, that the Governor's desire should be implemented:

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses concurring, that all state supported institutions of higher learning in the State of Alabama are hereby requested to fly the Alabama State Flag and the Confederate Battle Flag along side the American Flag on prominent flagpoles at each Homecoming festivity and that the bands play the "Star Spangled Banner", "Alabama" and "Dixie" respectively as each flag is hoisted.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the President of each state supported institution of higher learning in the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 50, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Tuck:

H. J. R. 51. WHEREAS the Lions International organization sponsored an around the world Search for Peace contest with the slogan "Peace is Attainable"; and

WHEREAS contestants competed on the club, district, multiple district (state), and eight geographical division levels, one of which is composed of the entire United States; and

WHEREAS William A. Curry III of Carrollton, Alabama, was top winner in the geographical division level in which 100,000 contestants throughout the United States competed; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate young Mr. Curry on both the content of his essay and his clarity of expression, and we commend the Lions International organization for sponsoring this thought provoking contest to develop a positive approach to a solution of world problems.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 51, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Collins (M), Marr, Wood, Collins (C), Edington, Grayson, Downing, Smith (C) and Perloff:

H. J. R. 53. WHEREAS the powerful bomb which ripped the home of J. B. LeFlore, retired postal employee, and long time Negro civil rights worker in Mobile, was a dastardly act perpetrated under cover of darkness by a depraved and senseless person; and

WHEREAS the people of Alabama, and particularly the citizens of Mobile, are shocked and outraged by this cowardly and violent crime, and have no idea of resting until the culprit is caught and punished to the full extent of the law. Rewards have been posted for his apprehension, and the Governor of our State has added an additional reward of \$1,000. Alabamians cannot and will not tolerate such lawlessness in our state against any of our people; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deplore the act of violence which severely damaged the home of this elderly couple and threatened their lives. We extend our sympathy to the LeFlores for their loss in property, and pledge to them our full cooperation in apprehending and prosecuting the person or persons responsible for this despicable crime.

RESOLVED FURTHER That a copy of this resolution be sent to the Mobile Press Register and to the LeFlores.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 53, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Starnes, Drake and McDonald:

H. J. R. 57. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That we most heartily congratulate Mr. Lee Taylor, Jr. of Downey, California upon setting the world's record for speed on water in his jet propelled boat, "The Hustler", when he exceeded a speed of 285 miles per hour on Lake Guntersville on June 30th. Mr. Taylor's skill and proficiency in attaining this speed are indeed commendable and the fact that the world's record was established in Alabama brings favorable and gratifying publicity to this State. We also warmly commend the project director, Mr. Paul Pribble, the project chairman, Mr. John W. Beaudoin, and crew members Rich Hallett, Tom Pavlousky and Arnold de Bore, whose supporting roles made the project possible.

RESOLVED FURTHER That a copy of this resolution shall be sent to Mr. Taylor and to each of the other gentlemen herein named.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carr, the Rules were suspended and the Resolution, H. J. R. 57, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 24. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of fiscal years ending September 30, 1968 and September 30, 1969, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the University of South Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 24. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 23. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 23. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 25. To make conditional annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1968 and September 30, 1969, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the University of South Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission and the Alabama Trade School and Junior College Authority.

Also:

By Messrs. Bowers, Jackson (T) and Pennington:

H. 116. To provide for the renovation, remodeling, and equipment of certain space in the Capitol building for the use of the members of the House of Representatives and House committees, making an appropriation for such purpose.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 25 and 116. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 396. To make an additional appropriation to the State Board of Education for the purpose of purchasing Free Textbooks.

Also:

By Mr. Mathews:

H. 29. To make appropriations for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Also:

By Mr. Mathews:

H. 33. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

By Mr. Mathews:

H. 32. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 396, 29, 33 and 32. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 27. To make an appropriation to the Governor's Office for the purpose of paying contribution to the National Governors' Conference.

Also:

By Mr. Mathews:

H. 28. To provide for cooperation by the State of Alabama with other Southern States in nuclear development of the South, and making an appropriation for that purpose.

Also:

By Mr. Mathews:

H. 30. To make an appropriation for the support of the Commission on Mental Illness of the Southern Regional Education Board.

Also:

By Mr. Mathews:

H. 34. To make an appropriation for the support of the Council of State Governments.

Also:

By Mr. Mathews:

H. 26. To make appropriations from the State Treasury for capital improvements.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 27, 28, 30, 34 and 26. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 397. To make a conditional appropriation for the support and maintenance of Marion Institute, located in Perry County.

Also:

By Mr. Mathews:

H. 398. To make a conditional appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Also:

By Mr. Mathews:

H. 399. To make a conditional appropriation for the support and maintenance of Lyman Ward Military Academy, located at Camp Hill, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 397, 398 and 399. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 31. To create a special committee of the Bureau of Publicity and Information Advisory Board; to prescribe its authority and duties; to provide for the payment of certain expenses; and to make an appropriation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 31. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Springer, Cameron, Harris, McElhaney and Hobbie:

H. J. R. 58. WHEREAS one of the worst fires in the city's history raged through the heart of Montgomery's downtown district on Thursday, July 6, 1967, killing one fireman and injuring 18 others; and

WHEREAS off duty and vacationing firemen, the police, officers of the sheriff's office, state troopers, personnel from the Montgomery Water Works Board and city engineering department, the County Citizens Bank Rescue Squad, the Salvation Army Emergency Squad, the Red Cross, the city meter maids, Alabama Power Company workers, three off duty firemen from Alexander City, and numerous others joined forces with the Montgomery firemen in combating this tragic holocaust; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we laud the members of the fire department who through their skill and selfless devotion to duty averted an even greater tragedy; we warmly commend and express our thanks to those other men and women who assisted the firemen, and we offer our sympathy to the family of Mr. Roy who was killed, and to those firemen who were injured.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 58, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 13. Relative to the death of Mr. John O. Burleson, Morgan County, Alabama.

Also:

S. J. R. 32. Relative to the death of Mr. William James Samford, of Opelika, Alabama.

Also:

S. J. R. 23. Relative to naming the bridge over the Alabama River between Camden and Yellow Bluff the "Frank Dobson Bridge".

Also:

S. J. R. 44. Relative to commending Mr. Lee Taylor on driving his jet propelled boat at a speed in excess of 285 miles per hour on Gunter's Lake.

Also:

S. J. R. 29. Relative to extending good wishes to Steve Walker on being Alabama's representative to the National Convention of SAE on June 18-21, 1967, in Minneapolis, Minnesota.

Also:

S. J. R. 26. Relative to requesting the Alabama Delegation in the United States Congress to call upon Congress to study methods and means necessary to strengthen the laws which have been enacted by the United States Congress for the purpose of controlling the Communist Party.

Also:

S. J. R. 51. Relative to the death of Honorable Hugh E. Fort of Mobile, Alabama.

Also:

S. J. R. 17. Petitioning Congress to enact legislation making the malicious public burning of the American flag a federal crime.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 49. Relative to all state supported institutions of higher learning in the State of Alabama flying the Alabama State Flag and the Confederate Battle Flag along side the American Flag on prominent flagpoles at each Homecoming festivity.

Also:

S. J. R. 46. Relative to congratulating Miss Sylvia Hitchcock.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hain and Blanton:

H. J. R. 59. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Selma, now designated as the William Rufus King Trade School, shall be hereafter designated and known as the William Rufus King State Technical Institute.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, H. J. R. 59, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

ADJOURNMENT

At 6:15 P. M., on motion of Mr. Cooper, pending further consideration of the Bills, S. B.'s 307 and 348, the Senate adjourned until Wednesday, July 19, 1967, at 3 o'clock P. M.

TWENTIETH LEGISLATIVE DAY

WEDNESDAY, JULY 19, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Pruitt Willis, Minister, Whitfield Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Nineteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Nineteenth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Nabors:

S. 456. Proposing an amendment to Amendment CCII of the Constitution of Alabama, relating to additional property taxes for educational purposes.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Vacca, Bailes, Skidmore, Morrow, Gilmore and Hawkins:

S. 457. To enact the Highway and Traffic Safety Coordination Act of 1967; to declare the public policy of this State in regard to highway and traffic safety; to provide that the Governor shall be the chief administrator of a comprehensive program of highway and traffic

safety; to create the office of Coordinator of Highway and Traffic Safety; to provide for a coordinator, his appointment, duties and responsibilities; to grant certain powers to the Governor in connection with his responsibility as chief administrator of this State's highway and traffic safety programs; to authorize various counties and municipalities to contract and exercise other powers which might be necessary in order that they might participate in certain highway and traffic safety programs; to repeal conflicting laws; and for other purposes.

Committee on Printing.

By Messrs. Radney, McCarley, Lindsey, Pierce, Morrow, O'Bannon, Bailes, Dominick, Clark, Lolley, Givhan, Adams, Oden, Albea, Skidmore, Leonard, Giles and Cooper:

S. 458. To amend further Section 38 of Title 8, Code of Alabama 1940, as amended, relating to licenses for fishing in waters in this State.

Committee on Fish and Game.

By Mr. Cooper:

S. 459. To apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to provide additional compensation for registrars.

Committee on Local Legislation No. 1.

By Messrs. Cooper, Lolley and Radney:

S. 460. To amend Section 10 of Act No. 493 adopted at the 1955 Regular Session of the Legislature of Alabama as the same has been previously amended, relating to municipal public building authorities, so as to provide that bonds of such municipal public building authorities may be payable in such installments and at such time or times not exceeding forty years from their date as may be provided in the proceedings wherein the bonds shall be authorized to be issued.

Committee on Municipalities and
Municipal Organizations.

By Mr. Carr:

S. 461. To provide for the maintenance and construction of roads within state parks and state-owned public fishing lake areas.

Committee on Forestry and Conservation.

By Messrs. Jackson, Radney, Lindsey, Stone, Givhan, Adams, Engel, Vacca, Childs and Clark:

S. 462. To amend Act No. 565, H. 964, Regular Session 1957, an act to provide for the salary of the Governor (Acts, Regular Session 1957, v. 2, p. 785).

Committee on Finance and Taxation.

By Messrs. Lindsey, Radney, Torbert and Nabors:

S. 463. To make further provisions respecting the contents of deeds and conveyances granting to public utility companies certain easements and rights of way.

Committee on Judiciary.

By Messrs. Torbert, Carr, Hawkins, Vacca and Nabors:

S. 464. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Committee on Public Health.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 465. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 466. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 467. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Committee on Finance and Taxation.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 468. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the

computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 469. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Committee on Finance and Taxation.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 470. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Committee on Finance and Taxation.

By Mr. Oden:

S. 471. To make a conditional appropriation for capital outlay purposes to the use of Northwest Alabama Junior College at Phil Campbell.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 88. To provide for the delegation of the audit function of hospitals and nursing homes by the Chief Examiner of Public Accounts to independent Certified Public Accountants.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Springer, Bank and McCorquodale.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 88, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Skidmore, Cooper and Goodwyn.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Giles, Givhan, Goodwyn, Skidmore, Leonard and Nabors:

S. 406. To amend Section 177 (1e) of Title 13 of the Code, 1940, as amended.

By Messrs. Giles, Givhan, Goodwyn, Skidmore, Leonard and Nabors:

S. 407. To amend further Section 1 of Act No. 936, H. 652, Regular Session 1951 (Acts 1951, p. 1605), an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a circuit court judge.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dobbs et al (with amendment):

H. 106. To redefine the crime of larceny of a dog and to prescribe the punishment for such offense.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (P):

H. 298. To amend Code of Alabama 1940, Title 30, Section 97, in relation to the lodging of jurors when the jury is kept together.

By Mr. Perloff et al:

H. 205. To prescribe a summary judgment rule to apply in the circuit courts and in courts of full like jurisdiction in all suits of a civil nature.

By Mr. Drake et al:

H. 403. To preserve law and order by proscribing, prohibiting and penalizing incitement to crime or to riotous conduct.

By Mr. Drake et al:

H. 402. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Engel:

S. 126. Proposing an amendment to the Constitution of Alabama authorizing each county and municipality of the State to levy and collect additional property taxes for library purposes.

The above Bill was read a second time at length as required by the Constitution.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Albea (with amendment):

S. 152. Proposing an amendment to the Constitution relating to sessions of the legislature and the compensation and allowances of members.

The above Bill was read a second time at length as required by the Constitution.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 151. To propose an amendment to the Constitution of Alabama relating to the compensation of public officers.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Malone, Blanton and Snodgrass:

H. 51. To propose an amendment to the Constitution providing a means of adopting local amendments to the Constitution at local elections.

The above Bill was read a second time at length as required by the Constitution.

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill:

H. 323. To amend Act No. 603, H. B. 69, Regular Session 1957, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies (Acts 1957, v. 2, p. 862) so as to regulate further the fees imposed for examination of credit unions.

By Mr. Merrill:

H. 322. Relating to payment by credit unions of share and deposit accounts not exceeding one thousand dollars (\$1,000) on the death of persons having such accounts; and discharging credit unions from further liability in respect to such accounts by payment of same to designated persons.

By Mr. Clark:

S. 376. To amend further Code of Alabama 1940, Title 5, Section 81, in relation to the cash reserve requirements of state-chartered banks.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 424. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 46,500 nor more than 48,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

By Mr. Cooper:

S. 425. To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Carr (with amendment):

S. 428. To authorize all counties having populations of not less than 47,000 nor more than 48,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in such counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with notice and proof):

S. 431. To authorize the Dallas County Court of County Revenues to appropriate and use certain County Funds and to designate and use certain County property, buildings and facilities in order to qualify for and receive Federal assistance under the Federal Economic Opportunity Act of 1964; and to provide retroactive effect.

By Mr. Givhan (with notice and proof):

S. 432. Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

By Mr. Leonard:

S. 442. To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

By Messrs. Turnham, Brassell, Harper, Snell, Neville and Paulk (with notice and proof):

H. 203. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

By Messrs. Owen (Baldwin) and Brannan (with notice and proof):

H. 392. Providing for five commissioners districts in Baldwin County; providing for the election, term, functions and compensation of a new commissioner; and requiring a referendum.

By Messrs. Graham and Berryman (W):

H. 400. To apply only in counties having not less than 46,500 nor more than 48,000 according to the most recent federal decennial census, further regulating the compensation of the register of the circuit court of such counties.

By Mr. Lemley (with notice and proof):

H. 463. To further amend Act No. 600, of the 1953 Regular session of the Alabama Legislature, approved September 15, 1953, entitled, "Relating to Blount County; creating a Court of Record to be known as the Law and Equity Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the Judge thereof and fixing his qualification, term and compensation, prescribing his authority and duties, and providing for other Officers of the Court, and fixing the cost to be collected therein abolishing the Intermediate Court of Blount County, and revoking certain powers of the Probate Court and the Judge thereof," and imposing a trial tax as cost in criminal cases and providing for a library for the Judges and Officers of the several Courts of Blount County.

By Messrs. Berryman (W) and Graham:

H. 407. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

By Messrs. Berryman (W) and Graham:

H. 405. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

By Messrs. Berryman (W) and Graham:

H. 406. To regulate the compensation of jurors in counties having populations of not less than 21,900 nor more than 22,300.

By Messrs. Berryman (W) and Graham:

H. 409. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

By Mr. Tuck (with notice and proof):

H. 417. Relating to Pickens County; providing for the nomination and election of members of the court of county commissioners, subject to the approval of the electors of the county voting in a referendum to be held thereon, and repealing conflicting laws including Section 1 of Act No. 278, H. 849, Regular Session 1935 (Acts 1935, p. 167), as amended.

By Mr. Tuck (with notice and proof):

H. 418. Relating to Pickens County; providing for the nomination and election of the county superintendent of education, and for his tenure, qualifications and compensation, subject to the approval of the electors of the county voting in a referendum thereon, and repealing conflicting laws including Section 1 of Act No. 441, S. 363, Regular Session 1963 (Acts 1963, p. 974).

By Mr. Collins (W):

H. 78. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges, and to authorize and provide for the payment of a monthly expense allowance for Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges.

By Mr. Clark (with notice and proof):

S. 438. Relating to Barbour County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

By Mr. Young (with notice and proof):

H. 466. To amend further an act entitled "An Act to divide the County of Cleburne into commissioners districts and to regulate the election of county commissioners" approved March 4, 1901, so as to provide for nomination and election of commissioners by districts.

By Mr. Adams (with notice and proof):

S. 434. To amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, page 735)

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McDermott and Pelham:

S. 435. To amend Section 517 of Title 37 of the Code of Alabama of 1940 to provide for notice by certified mail or registered mail.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Smith (P), Beck and Bolton:

H. 305. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

By Messrs. Smith (P), Beck and Bolton:

H. 306. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

By Messrs. Smith (P), Beck and Bolton:

H. 307. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors:

S. 441. To set up requirements for forming a new political party.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors (with amendment):

S. 107. Relating to elections; to change the dates for primary elections and for filing declarations of candidacy; to abolish statutory procedures for contesting primary elections and to authorize and direct the executive committees of political parties to provide by party rule for contesting such elections; to correlate other provisions of the election laws with these changes; and for these purposes amending Code of Alabama 1940, Title 17, Sections 106, 145, 340, 344, 348, 360, 373, 407 and 414 and repealing Sections 378 through 384, 386, 388, 389 and 391 of said title.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Childs (with substitute):

S. 144. To provide for the use of safety chains when towing a trailer or semi-trailer.

By Mr. Gilmore (with substitute):

S. 136. To revise and amend Chapter 1 of Title 36 of the Code of Alabama (1940), relating to restrictions upon speed of motor vehicles upon certain highways.

By Mr. Bailes (with substitute):

S. 116. To provide that all motor vehicles entering an Interstate Highway or limited access highway shall yield the right-of-way to vehicles traveling upon such highway:

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Neville:

H. 186. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 246. To amend Section 3 of Act No. 132, H. 105, Legislature of 1965, Second Special Session, approved October 1, 1965 (Acts of 1965 2nd and 3rd Special Sessions, p. 185) by providing that a portion of funds appropriated thereunder for expenditures during the fiscal year ending September 30, 1967 may be used and expended for capital outlay purposes.

By Messrs. Skidmore and Leonard:

S. 287. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, fix membership dues, and authorize gifts, contributions and donations to the fund.

By Messrs. Lindsey, Givhan, Pierce, McCarley, Leonard, Clark, Giles, Turner, Stone, Cooper, Lolley, Adams, Branyon, Jackson, Radney, Torbert and Oden:

S. 420. To amend Code of Alabama Title 51, Section 21, relating to the subjects of taxation in this State.

By Mr. Fite:

H. 372. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

By Mr. Smith (P):

H. 293. To make a supplemental appropriation to the Department of Agriculture and Industries.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pierce and Goodwyn:

S. 455. To amend Act No. 118, Local Acts of 1939, page 66, approved March 8, 1939, which said act is entitled: "AN ACT to create and establish a Board of Jury Supervisors in Montgomery County, Alabama, to provide that the Circuit Judges, the Judge of Probate, the Sheriff, and the Clerk of the Circuit Court of Montgomery County shall constitute The Board of Jury Supervisors and to confer upon them all the jurisdiction and all the powers and authority which is now or which may hereafter be by law vested in Jury Boards and Jury Commissions in this State; to provide that they shall perform and discharge all the duties of Jury Boards and Jury Commissions without compensation, except as provided by this Act; to authorize them to elect one of their number President of such Board of Jury Supervisors, and to provide that the Clerk of the Circuit Court of Montgomery County shall be ex-officio clerk of such Board of Jury Supervisors; to fix his salary as such clerk, the manner of its payment, and to provide for the delivery to this Board of the papers and records of any former Board of Jury Supervisors, Jury Board or Jury Commission of Montgomery County." To repeal that portion of Act No. 100, General Acts of Alabama, Regular Session, 1965, page 152, approved July 7, 1965 which amends Sections 3 (a) of Act No. 250, General Acts of Alabama, Regular Session, 1959.

SELECT COMMITTEE REPORT FILED

(Legislative Committee on Air Pollution)

Under the provisions of H. J. R. 45, Special Session 1966, the report to the Legislature of the State of Alabama by the Legislative Committee on Air Pollution was submitted and ordered filed with the Secretary.

BILL REPORTED AND RE-REFERRED

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, to-wit:

By Mr. Givhan:

S. 430. Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

On motion of Mr. Givhan, said Bill was then ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first of which was the Bill:

S. 307. To revise and amend Act No. 65 of the Second Special Session of the Legislature, 1965, approved September 30, 1965.

On motion of Mr. Cooper, further consideration of the Bill, S. B. 307, was postponed until the Twenty-Second Legislative Day as Unfinished Business.

The Bill:

S. 348. To amend Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to provide for the continued existence of any corporation organized under the said act until dissolved in the manner provided therein.

was taken up.

Mr. Nabors moved that further consideration of the Bill, S. B. 348, be postponed until the next Legislative Day. On motion of Mr. Turner, the motion to postpone was laid on the table.

Yeas 20; Nays 13.

Yeas:

Messrs.:	Folsom	Leonard	Radney
Branyon	Giles	Lindsey	Skidmore
Carr	Givhan	Lolley	Stone
Clark	Goodwyn	McDermott	Torbert
Cooper	Jackson	Peiham	Turner
Engel			

—20

Nays:

Messrs.:	Dominick	McCarley	O'Bannon
Albea	Gilmore	Morrow	Pierce
Bailes	Harris	Nabors	Vacca
Childs	Hawkins		

—13

RESOLUTION

Messrs. Cooper, Lolley, Pierce and Stone offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That before any State officer, agency, or department, except the State Highway Department and the State Docks Department, acquires or disposes of any building or property on behalf of the State, notification of such proposed action shall be made to the State Building Commission, along with a report containing pertinent information regarding costs and a complete description of the property to be disposed of or acquired. The State Building Commission shall make a feasibility study immediately after such report has been made to determine if the acquisition or disposal of the property, as the case may be, is in the best interest of the State of Alabama. A full report of the findings of the State Building Commission respecting any project shall be furnished to the officer, agency, or department involved in the proposed action.

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF S. B. 348

The Senate proceeded to further consideration of the Bill, S. B. 348.

BILLS ON THIRD READING RESUMED

The Bill:

S. 389. Relating to Houston County; authorizing the court of county commissioners, board of revenue, or other like governing body to levy a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes in such county; providing for the collection of the tax; providing for payment of the proceeds therefrom into the general fund in the county treasury; and prescribing penalties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

S. 390. Relating to Houston County; authorizing the county governing body of Houston County to levy a privilege or license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer, or similar fermented malt liquor in the county; to fix the rate or amount of such tax; to provide that if such tax is levied it shall be paid to the probate judge and by him paid into the general fund of the county; to prescribe penalties and fix punishments for the violation of any of the provisions of said act; and to otherwise provide for the administration of said act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors	
Adams	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris			—25

Nays:

—0

The Bill:

S. 396. To amend further Section 2 of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission

on Education so as to provide for two additional members of the commission and to create two new election districts.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Adams	Gilmore	Lindsey	Pierce	
Albea	Givhan	Morrow	Stone	
Bailes	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 417. To apply only in counties having populations of not less than 15,500 nor more than 16,300; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	McCarley	Skidmore	
Childs	Harris	McDermott	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 405. To provide for public highways, streets, and bridges in any county having a population as great as 170,000 and not exceeding 300,000, according to the last or any succeeding federal census; and to that end to require that each such county provide the services of a county engineer for its highway, street and bridge program and to make further provisions for the distribution among any such county and the municipalities therein of (1) those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967, and (2) those portions of the net proceeds from the state motor vehicle license taxes and registration fees that are referred to in paragraphs (b) and (c) of Section 713 of Title 51 of the Code of Alabama of 1940, as amended, and that are provided in the said paragraphs to be paid or allocated to any such county and the municipalities therein.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Radney	
Branyon	Giles	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays:

—0

FURTHER CONSIDERATION OF S. B. 348

The Senate proceeded to further consideration of the Bill:

S. 348. To amend Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to provide for the continued existence of any corporation organized under the said act until dissolved in the manner provided therein.

And said Bill, S. B. 348, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	O'Bannon	
Adams	Dominick	Leonard	Pelham	
Albea	Engel	Lindsey	Radney	
Bailes	Folsom	Lolley	Skidmore	
Branyon	Giles	McCarley	Stone	
Carr	Gilmore	McDermott	Torbert	
Childs	Givhan	Morrow	Turner	
Clark	Goodwyn	Nabors	Vacca	

—31

Nays:

—0

ADJOURNMENT

At 7:17 P. M., on motion of Mr. Goodwyn, the Senate adjourned until Thursday, July 20, 1967, at 10 o'clock A. M.

TWENTY-FIRST LEGISLATIVE DAY

THURSDAY, JULY 20, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Honorable Tom Radney, Senator from the Sixteenth Senatorial District.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twentieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twentieth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Nabors:

S. 472. An Act to alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama, in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the next special or regular or a subsequent session of the Legislature of the State of Alabama, the undersigned will introduce a Bill in the Legislature as follows:

A BILL
TO BE ENTITLED
AN ACT

An act to alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama, in Etowah County- the corporate limits of said City certain property therein set out and described.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Gadsden in Etowah County, Alabama, are hereby altered, re-arranged and changed so as to include within the corporate limits of said City all the foregoing described real estate located in Etowah County, Alabama, and described as follows, viz:

Start at point in the North right of way line of United States Highway 411, also known as Rainbow Drive, in the City of Gadsden, Etowah County, Alabama, which said point is located on the present corporate limits of the City of Gadsden, Alabama, and is established by the projection of the north easterly line of Lot No. 1 of Block No. 1 of Clubview Heights Addition, according to the map or plat thereof as appears of record in Plat Book B, at page 224, 225 and 226, Probate Office, Etowah County, Alabama, to the north right of way line of said United States Highway 411; said point being the point of beginning to describe the land to be included in the Corporate Limits of the City of Gadsden, Alabama, from said point of beginning, run in a southerly direction along the said projected northeasterly line of said Lot No. 1 in Block No. 1 to the northeast corner of the said Lot No. 1 in Block No. 1; thence continue in a southerly direction along the said northeasterly line of Lots 1 and 9 in Block 1 to the southeast corner of Lot 9 in Block 1 in the Clubview Heights Addition; thence in a southwesterly direction along the south line of said Lot 9 to the southwest corner of said Lot 9; thence in a northwesterly direction along the westerly line of said Lots 9 and 1 in Block 1 of said Clubview Heights Addition and a projection of said westerly line of said lots to a point on the northerly right of way line of said United States Highway 411 and the existing corporate limit line of the City of Gadsden, Alabama, in Etowah County, said description embracing lots 1 and 9 in Block 1 of Clubview Heights Addition and a portion of U. S. Highway 411 lying immediately adjacent to the existing corporate limits of the City of Gadsden, Etowah County, Alabama.

Section 2. All laws or parts of laws, both general, special or local in conflict with this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon the passage and approval of the Governor, or upon its otherwise becoming a law.

OLLIE W. NABORS,
State Senator.

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, Billie Jo Scott a Notary Public in and for said County, in said State, personally appeared Joe L. Williams, who is known to me, and who after being by me duly sworn, deposes and says under oath as follows:

That he is Editor and Publisher of The Etowah News-Journal a weekly newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That as Publisher, he has knowledge of the facts herein stated, and that he is authorized by The Etowah News-Journal to make this affidavit;

That there is attached to said affidavit notice of legal A Bill to be Entitled which was printed in The Etowah News-Journal in its regularly circulated editions May 18-25, June 1 and June 8, 1967 and that the affixed notice constitutes an exact copy of the advertisement as published in The Etowah News-Journal.

Subscribed and sworn to by me this 18th day of July, 1967.

JOE L. WILLIAMS,
Editor and Publisher.

Subscribed and sworn to by me this 18th day of July, 1967.

BILLIE JO SCOTT,
Notary Public.

By Messrs. Lindsey, Carr and Pelham:

S. 473. To appropriate the sum of Twenty-five Thousand Dollars (\$25,000.00) to the Division of State Parks, Monuments and Historical Sites for the purpose of purchasing land at a site on Old Saint Stephens, the first territorial capital of Alabama, in Washington County, Alabama, and the restoration and rehabilitation of said site.

Committee on Finance and Taxation.

By Mr. Clark:

S. 474. To amend further Act No. 128, S. 120, Regular Session 1949, and Act No. 885 Regular Session 1961, providing for the service of process in civil suits.

Committee on Judiciary.

By Messrs. Morrow, Childs, Bailes, Hawkins, Gilmore, Dominick and Vacca:

S. 475. To provide for a distribution by every county in the State having a population in excess of 600,000 inhabitants according to the last or any subsequent Federal Decennial Census of tax funds received by such county under the provisions of Section 5 (b) of Act Number 224 of the 1967 Special Session of the Legislature of Alabama, approved May 10, 1967.

Committee on Local Legislation No. 2.

REPORTS OF COMMITTEES

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Vacca, Nabors and Giles (with substitute):

S. 260. To amend further the Code of Alabama 1940, Title 37, Section 73, which relates to the compensation of commissioners.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to

to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Vacca, Nabors and Giles:

S. 262. To authorize the Board of Commissioners of any incorporated municipality organized and operating under the provisions of Chapter 4, Article 1, Code of Alabama 1940, as amended, which owns and operates a light and power system, a municipal water system, a municipal sewer system or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to authorize a municipal board or a municipal public corporation which owns or operates a municipal light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to fix his duties while so acting as superintendent, to pay additional compensation for his service as superintendent of such system or systems and to validate the employment of and compensation paid to any Mayor or President of the Board of Commissioners for services heretofore rendered as superintendent of any such system or systems.

By Messrs. McDermott, Nabors and Giles:

S. 270. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDermott (with substitute):

S. 341. To amend further the Code of Alabama 1940, Title 37, Section 105, as amended, which relates to the compensation of Commissioners.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Lolley and Radney:

S. 460. To amend Section 10 of Act No. 493 adopted at the 1955 Regular Session of the Legislature of Alabama as the same has been previously amended, relating to municipal public building authorities, so as to provide that bonds of such municipal public building authorities may be payable in such installments and at such time or times not exceeding forty years from their date as may be provided in the proceedings wherein the bonds shall be authorized to be issued.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 459. To apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to provide additional compensation for registrars.

By Mr. Leonard:

S. 410. Relating to counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; prohibiting consumption of alcoholic beverages in certain places in such counties; levying a license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; creating a "Board of Control"; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the license tax levied under this Act; prescribing penalties for violation of the Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county.

Mr. Vacca, Chairman of the Standing Committee on Printing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Vacca, Bailes, Skidmore, Morrow, Gilmore and Hawkins:

S. 457. To enact the Highway and Traffic Safety Coordination Act of 1967; to declare the public policy of this State in regard to highway and traffic safety; to provide that the Governor shall be the chief administrator of a comprehensive program of highway and traffic safety; to create the office of Coordinator of Highway and Traffic Safety; to provide for a coordinator, his appointment, duties and responsibilities; to grant certain powers to the Governor in connection with his responsibility as chief administrator of this State's highway and traffic safety programs; to authorize various counties and municipalities to contract and exercise other powers which might be necessary in order that they might participate in certain highway and traffic safety programs; to repeal conflicting laws; and for other purposes.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Berryman (W) and Graham (with notice and proof):

H. 337. To provide for payment of expense allowances to members of the board of revenue, court of county commissioners or other like governing body of Franklin County.

By Messrs. Downing, Marr and Grayson:

H. 488. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

By Mr. McDermott (with notice and proof):

S. 452. To amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298).

By Messrs. Downing, Marr and Grayson:

H. 487. To fix the compensation or salary of the clerk of the circuit court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent federal decennial census, and to provide for the payment thereof.

By Mr. Engel:

S. 297. To apply only in counties having populations of not less than 300,000 nor more than 500,000, fixing the compensation of the assistant chief deputy sheriff of any such county and repealing conflicting laws.

By Mr. Hogan et al:

H. 273. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

By Mr. Grayson (with notice and proof):

H. 175. To amend Section 5 of Act No. 181 adopted at the regular session of the legislature of Alabama, 1957 Session, on August 7, 1957, providing for the compensation of the members of the County Commission of Mobile County.

By Mr. Hogan (with notice and proof):

H. 171. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955, p. 356) entitled "An Act To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

By Mr. Collins (W) (with notice and proof):

H. 81. To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

By Messrs. Hogan and Grayson:

H. 73. Relating to counties having populations of not less than 300,000 nor more than 500,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; providing additional compensation for the tax collector for performing such extra, new and additional duties; and repealing conflicting Acts.

By Messrs. Grayson, Downing and Hogan:

H. 71. To amend Act Number 172, House Bill 187 of the Acts of Alabama first and second Special Sessions of 1964, page 236, approved August 28, 1964, entitled an Act, "Relating to Judicial Circuits composed of one County and having not less than four Circuit Judges and not more than nine Circuit Judges; to provide for the positions of Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor in said circuits; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of the County."

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Torbert, Oden and Jackson (with amendments):

S. 445. To amend further Code of Alabama 1940, Title 51, Section 2, relating to the exemption of persons and property from ad valorem taxation.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Oden and Jackson (with amendment):

S. 444. Proposing an amendment to Article XI, Section 217 of the Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Torbert, Oden and Jackson (with amendment):

S. 446. To amend Code of Alabama 1940, Title 51, Section 15, in relation to the exemption of homesteads from ad valorem taxes.

By Messrs. Cooper, Lindsey, Givhan, Giles, Branyon, Folsom, Lolley, Leonard, Turner, Adams, Oden and Jackson (with amendment):

S. 447. Relating to ad valorem taxation; providing for the classification of property for purposes of taxation; and fixing percentages of the fair and reasonable market value of the property in the several classes at which such property shall be valued and taxes thereon assessed.

By Mr. Mathews (with amendment):

H. 31. To create a special committee of the Bureau of Publicity and Information Advisory Board; to prescribe its authority and duties; to provide for the payment of certain expenses; and to make an appropriation.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 209. To make an appropriation from the state treasury to the use of the directors or trustees of Eufaula Heritage Association for the purpose of converting the Shorter Mansion located at Eufaula into a museum.

BILLS ON THIRD READING

The Bill:

S. 418. To alter, rearrange, and extend the boundary lines and corporate limits of the Town of Clio, Barbour County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Stone	
Bailes	Giles	Morrow	Torbert	
Branyon	Goodwyn	Nabors	Turner	
Carr	Harris	O'Bannon	Vacca	
Clark	Hawkins			—25

Nays:

—0

The Bill:

S. 425. To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Nabors	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn			—25

Nays:

—0

The Bill:

S. 428. To authorize all counties having populations of not less than 47,000 nor more than 48,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in such counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 428, to-wit:

AMENDMENT TO S. B. 428

In line 2 of the title, strike out 48,000 and insert in lieu thereof 49,000.

In Section 1, line 3, strike out 48,000 and insert in lieu thereof 49,000.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Adams	Gilmore	McDermott	Skidmore	
Albea	Givhan	Morrow	Stone	
Bailes	Goodwyn	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays:

—0

And said Bill, S. B. 428, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney	
Adams	Gilmore	McDermott	Skidmore	
Albea	Givhan	Morrow	Stone	
Bailes	Goodwyn	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays:

—0

The Bill:

S. 431. To authorize the Dallas County Court of County Revenues to appropriate and use certain County Funds and to designate and use certain County property, buildings and facilities in order to qualify for and receive Federal assistance under the Federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lindsey	Pierce	
Albea	Giles	Lolley	Radney	
Bailes	Givhan	Nabors	Torbert	
Branyon	Harris	O'Bannon	Turner	
Carr	Hawkins	Oden	Vacca	
Childs	Jackson			—25

Nays:

—0

The Bill:

S. 432. Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Branyon	Folsom	McCarley	Pierce	
Carr	Giles	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays: —0

The Bill:

S. 442. To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pelham	
Adams	Givhan	McDermott	Pierce	
Albea	Goodwyn	Morrow	Radney	
Bailes	Harris	Nabors	Skidmore	
Clark	Hawkins	O'Bannon	Stone	
Cooper	Leonard	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 203. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Engel	Givhan
Adams	Carr	Folsom	Jackson
Albea	Clark	Giles	Leonard
Bailes	Dominick	Gilmore	Lolley

McDermott	O'Bannon	Radney	Torbert	
Morrow	Oden	Stone	Vacca	
Nabors	Pelham			—25
<i>Nays:</i>				—0

The Bill:

H. 392. Providing for five commissioners districts in Baldwin County; providing for the election, term, functions and compensation of a new commissioner; and requiring a referendum.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Radney	
Albea	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Branyon	Givhan	Nabors	Torbert	
Carr	Goodwyn	O'Bannon	Turner	
Childs	Harris	Oden	Vacca	
Clark	Jackson			—25
<i>Nays:</i>				—0

The Bill:

H. 463. To further amend Act No. 600, of the 1953 Regular Session of the Alabama Legislature, approved September 15, 1953, entitled, "Relating to Blount County; creating a Court of Record to be known as the Law and Equity Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the Judge thereof and fixing his qualification, term and compensation, prescribing his authority and duties, and providing for other Officers of the Court, and fixing the cost to be collected therein abolishing the Intermediate Court of Blount County, and revoking certain powers of the Probate Court and the Judge thereof," and imposing a trial tax as cost in criminal cases and providing for a library for the Judges and Officers of the several Courts of Blount County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Pelham	
Adams	Gilmore	McDermott	Pierce	
Albea	Givhan	Morrow	Radney	
Bailes	Goodwyn	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25
<i>Nays:</i>				—0

POINT OF PERSONAL PRIVILEGE

Mr. Oden, before moving passage of H. B.'s 407, 405, 406 and 409, requested that the Journal show that he questions the constitutionality of the above numbered bills because they were not advertised once a week for four consecutive weeks as required by the Constitution.

BILLS ON THIRD READING RESUMED

The Bill:

H. 407. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Pierce	
Branyon	Givhan	McCarley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Childs	Harris	Morrow	Stone	
Clark	Hawkins	O'Bannon	Torbert	
Cooper	Leonard	Oden	Turner	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 405. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Harris	McDermott	Torbert	
Clark	Hawkins	Morrow	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 406. To regulate the compensation of jurors in counties having populations of not less than 21,900 nor more than 22,300.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	O'Bannon	Torbert	
Childs	Leonard			—25

Nays: —0

The Bill:

H. 409. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lindsey	Radney	
Albea	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 417. Relating to Pickens County; providing for the nomination and election of members of the court of county commissioners, subject to the approval of the electors of the county voting in a referendum to be held thereon, and repealing conflicting laws including Section 1 of Act No. 278, H. 849, Regular Session 1935 (Acts 1935, p. 167), as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Branyon	Giles	Lolley	Skidmore	
Childs	Gilmore	McCarley	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

H. 418. Relating to Pickens County; providing for the nomination and election of the county superintendent of education, and for his tenure, qualifications and compensation, subject to the approval of the electors of the county voting in a referendum thereon, and repealing conflicting laws including Section 1 of Act No. 441, S. 363, Regular Session 1963 (Acts 1963, p. 974).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McDermott	Radney	
Branyon	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Stone	
Clark	Hawkins	O'Bannon	Torbert	
Cooper	Jackson	Oden	Turner	
Dominick	Lolley	Pierce	Vacca	
Gilmore	McCarley			—25

Nays:

—0

The Bill:

S. 438. Relating to Barbour County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Clark	Goodwyn			—25

Nays:

—0

The Bill:

S. 434. To amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, page 735)

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pelham	
Adams	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays:

—0

The Bill:

S. 455. To amend Act No. 118, Local Acts of 1939, page 66, approved March 8, 1939, which said act is entitled: "AN ACT to create and establish a Board of Jury Supervisors in Montgomery County, Alabama, to provide that the Circuit Judges, the Judge of Probate, the Sheriff, and the Clerk of the Circuit Court of Montgomery County shall constitute The Board of Jury Supervisors and to confer upon them all the jurisdiction and all the powers and authority which is now or which may hereafter be by law vested in Jury Boards and Jury Commissions in this State; to provide that they shall perform and discharge all the duties of Jury Boards and Jury Commissions without compensation, except as provided by this Act; to authorize them to elect one of their number President of such Board of Jury Supervisors, and to provide that the Clerk of the Circuit Court of Montgomery County shall be ex-

officio clerk of such Board of Jury Supervisors; to fix his salary as such clerk, the manner of its payment, and to provide for the delivery to this Board of the papers and records of any former Board of Jury Supervisors, Jury Board or Jury Commission of Montgomery County." To repeal that portion of Act No. 100, General Acts of Alabama, Regular Session, 1965, page 152, approved July 7, 1965 which amends Section 3 (a) of Act No. 250, General Acts of Alabama, Regular Session, 1959.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Adams	Folsom	Lindsey	Skidmore	
Albea	Giles	Lolley	Stone	
Bailes	Gilmore	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson			—25

Nays:

—0

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 58. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Twenty-First Legislative Day only:

All local bills and all general bills with local application as they appear on the Calendar

S. B. 66, Page 16

S. B. 67, Page 16

S. B. 306, Page 17

S. B. 363, Page 22

S. B. 98, Page 18

H. B. 220, Page 14

S. B. 182, Page 19

S. B. 185, Page 19

S. B. 366, Page 23

S. B. 217, Page 21

S. B. 318, Page 21

S. B. 133, Page 10

S. B. 229, Page 7

S. B. 40, Page 20

S. B. 41, Page 20

S. B. 404, Page 27

BILLS ON THIRD READING RESUMED

The Bill:

H. 78. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges, and to authorize and provide for the payment of a monthly expense allowance for Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges.

was taken up.

Mr. McDermott offered the following substitute for the Bill, H. B. 78, to-wit:

SUBSTITUTE FOR H. B. 78

A BILL
TO BE ENTITLED
AN ACT

Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges, and to authorize and provide for the payment of a monthly expense allowance for Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges.

Be It Enacted by the Legislature of Alabama:

Section 1. In every judicial circuit composed of only one county and having not less than six nor more than twelve Circuit Judges, there shall be paid to each Circuit Judge as supplemental salary to that paid by the State, from the general funds of the County, in equal monthly installments, the sum of \$7,200.00 per year. The County Commission or other governing body of the county comprising such judicial circuit is hereby authorized, empowered and directed to pay the supplemental salary provided herein to each such Circuit Judge out of the general funds of the County or such other funds as may be available for such purpose; and such salary shall be in addition to any other salary, compensation, allowances or expenses provided by law.

Section 2. In every judicial circuit composed of only one County and having not less than six nor more than twelve Circuit Judges, there shall be paid to each Circuit Judge, from the general funds of the County, in equal monthly installments, as an allowance for office and other expenses incurred in the maintenance and conduct of his office and in the proper and efficient discharge and performance of his duties as such Circuit Judge, the sum of \$1,200.00 per year. The County Commission or other governing body of the County comprising such judicial circuit is hereby authorized, empowered and directed to pay the supplemental expense allowances provided herein to each such Circuit Judge out of the general funds of the County or such other funds as may be available for such purpose; and such expense allowances shall be in addition to any other salary, compensation, allowances or expenses provided by law. The allowance herein provided for shall terminate January 15, 1971, and shall be of no further force and effect.

Section 3. The provisions of this Act are severable. If any part, portion or provision of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Sections 2, 3 and 4 of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, and Section 1 of this Act shall become effective at the earliest time permitted by law, subject to the provisions of the Constitution of Alabama relating to increasing or diminishing the salaries of judicial officers of this State.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham	
Branyon	Gilmore	Lindsey	Radney	
Carr	Givhan	Lolley	Skidmore	
Childs	Goodwyn	McDermott	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Engel	Jackson			—25

Nays: —0

And said Bill, H. B. 78, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham	
Branyon	Gilmore	Lindsey	Radney	
Carr	Givhan	Lolley	Skidmore	
Childs	Goodwyn	McDermott	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Engel	Jackson			—25

Nays: —0

The Bill:

S. 424. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 46,500 nor more than 48,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Turner	
Carr	Goodwyn	O'Bannon	Vacca	
Childs	Leonard			—25

Nays: —0

The Bill:

H. 400. To apply only in counties having not less than 46,500 nor more than 48,000 according to the most recent federal decennial census, further regulating the compensation of the register of the circuit court of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Stone	
Bailes	Harris	McDermott	Torbert	
Clark	Hawkins	Morrow	Turner	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Leonard			—25

Nays:

—0

RESOLUTION

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 59. WHEREAS Major James Alvin Rainwater, Jr., United States Air Force, of Billingsley, Alabama was killed in action in Vietnam on July 12, 1967, when the bomber he commanded was shot down by Communist fire; and

WHEREAS Major Rainwater had served fourteen years in the United States Air Force. He graduated from Hicks Memorial High School in Autaugaville, received his bachelor of science degree from Auburn University, and a degree in aeronautical engineering from the University of Southern California; and

WHEREAS Major Rainwater gave his life in upholding the principles for which this country stands; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we lament the untimely death of this young citizen of Alabama and we extend our heartfelt sympathy to Major Rainwater's family in their great loss.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to his widow, Mrs. Mary D. Rainwater.

On motion of Mr. McCarley, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. R. 58

The Senate proceeded to further consideration of the Resolution, S. R. 58.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 45. Relative to the death of Fireman Hershell O'Neal Roy.

Also:

S. J. R. 47. Relative to the death of Corporal William Marshall Shaw, Jr.

Also:

S. J. R. 59. Relative to the death of Major James Alvin Rainwater, Jr.

Also:

S. J. R. 28. Relative to refund of \$1,000 from the Association of State Fiscal Officers.

Also:

S. J. R. 36. Relative to families of service men meeting them in Hawaii when on rest and recuperative leave.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 78. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges, and to authorize and provide for the payment of a monthly expense allowance for Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 128. Relating to Coffee County, further regulating the compensation of the members of the county board of education.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 12:40 P. M., on motion of Mr. Cooper, pending further consideration of the Resolution, S. R. 58, the Senate adjourned until Tuesday, July 25, 1967, at 2 o'clock P. M.

TWENTY-SECOND LEGISLATIVE DAY

TUESDAY, JULY 25, 1967

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by Mr. Akio Limb, Church of Christ Missionary, Hyogo, Japan.

ROLL CALL

Present:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Skidmore
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Morrow	Turner
Cooper	Hawkins	Nabors	Vacca
Dominick			

—32

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Twenty-First Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. O'Bannon, Adams and Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 476. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 477. To apply only in counties having populations of not less than 100,000 nor more than 115,000; providing for appointment of bailiffs in the county courts of such counties.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 478. To amend Section 3, Act No. 817, H. 298, Regular Session 1961, relating to supernumerary court reporters.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 479. To amend Act No. 311, H. 741, Regular Session 1965, relating to Tuscaloosa County and providing for the Tuscaloosa County Court (Acts, Regular Session 1965, v. 1, p. 426).

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 480. To apply only in counties having populations of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; providing expense allowances for certain county officers in such counties.

Committee on Local Legislation No. 1.

By Mr. McCarley:

S. 481. Relating to Autauga County: Providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

LEGAL NOTICE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that application will be made for enactment of a local law by the Legislature of Alabama which will be in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County:

Providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Autauga County, exclusive of Recorder's Courts of incorporated cities and towns, of violations of the rules of the road, or the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Autauga County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me July 24, 1967.

LINDA H. BREEDLOVE,
Secretary-Notary.

My commission expires Dec. 9, 1970.

By Mr. Cooper:

S. 482. To provide allowances for expenses for members of the board of education of Wilcox County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide allowances for expenses for members of the board of education of Wilcox County.

Be It Enacted by the Legislature of Alabama:

Section 1. For the performance of the extra, new and additional duties imposed upon them by law, each member of the board of education of Wilcox County shall be entitled to an allowance for expenses in the amount of \$100.00 a month, which allowance shall be payable from the public school funds of the county at the end of each month. The allowance shall be in addition to the expenses payable under general or local laws.

Section 2. This Act is cumulative and shall take effect immediately upon its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil B. Cross, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1967.

CECIL B. CROSS, JR.

Sworn to and subscribed before me 24th of July, 1967.

BETTY M. DUNN,
Notary Public.

By Mr. Turner:

S. 483. To make an appropriation for payment of court costs, expenses and attorneys fees incurred in the defense of cases involving Health, Education and Welfare "Guidelines" in Education.

Committee on Finance and Taxation.

By Messrs. Engel, Branyon, Pelham, Giles, Pierce, Jackson, Lolley and McDermott:

S. 484. To provide for and authorize the organization of a public corporation in the state to be named Tombigbee Valley Development Authority, for the purposes of furthering the development of (1) a

navigable waterway between Demopolis, Alabama, and the Tennessee River and (2) a flood control project on the tributary streams of the Tombigbee River; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway and the proposed flood control project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding \$10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway and the proposed flood control project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Committee on Seaports.

By Messrs. Engel, Branyon, Pelham, Giles, Pierce, Jackson, Lolley and McDermott:

S. 485. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Demopolis, Alabama, and the Tennessee River and (2) the implementation and maintenance of flood control projects on the tributary streams of the Tombigbee River; to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding \$10,000,000; and to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Committee on Seaports.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Goodwyn:

S. 486. Proposing an amendment to the Constitution of Alabama to provide for the selection, tenure and retirement of justices of the Supreme Court, judges of the Court of Appeals, and judges of the Circuit Courts; and to provide that Amendment LXXXIII, proclaimed ratified November 20, 1950, and Amendment CX, proclaimed ratified December 20, 1955, relating to filling vacancy in office of judge of Circuit Court holding at Birmingham, shall not be affected by the proposed Amendment.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Goodwyn:

S. 487. To amend Section 2 of Title 51 of the Code of Alabama 1940, as amended, which relates to exemptions from ad valorem taxation.

Committee on Judiciary.

By Mr. Goodwyn:

S. 488. Proposing an amendment to the Constitution of Alabama to provide for the selection, tenure and retirement of justices of the Supreme Court and judges of the Court of Appeals.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Pelham:

S. 489. Relating to cities having a population of not less than 35,000 nor more than 55,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Committee on Local Legislation No. 1.

By Mr. Pelham:

S. 490. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 300,000 nor more than 500,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 491. To amend Section 4 of Act No. 574, Acts of 1965, approved August 26, 1965, entitled "An Act to provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended, "by providing changes to Section 4, Section 4b, Section 4g, Section 4j, Section 4k, and Section 4l.

Committee on Commerce and Common Carriers.

By Mr. Clark:

S. 492. To further amend Section 1 of Act No. 511, H. 610, Regular Session 1963, an Act fixing the compensation of District Attorneys payable from the State treasury, as last amended by Act No. 264, S. 96, Special Session 1966.

Committee on Finance and Taxation.

By Mr. Clark:

S. 493. To amend further Section 3 of Act No. 467, Regular Session, 1963 (Acts 1963, page 1020) an Act relating to Supernumerary Circuit Solicitors, so as to regulate further their compensation while actively and otherwise performing the duties of a Circuit Solicitor.

Committee on Judiciary.

By Mr. Folsom:

S. 494. To alter, or rearrange the boundary lines of the City of Cullman, Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama, 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Cullman, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the City of Cullman, Alabama, and in addition thereto the following described territory, to-wit:

TRACT 1

Begin at the Northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33, Township 9 South, Range 3 West, Cullman County, Alabama; thence South along the quarter-quarter line 2558.8 feet to the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33; thence East along the quarter-quarter line 368 feet, more or less, to the West Right of Way of the L. & N. Railroad; thence South along said Right of Way 2560 feet, more or less, to the South boundary line of said Section 33; thence West along said South boundary line 1718 feet, more or less, to the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33; thence North along the quarter-quarter line 1275.5 feet to the Northwest corner of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence West along the quarter-quarter line to the point of intersection of the West Right of Way of U. S. Highway No. 31, the existing city limits of Cullman, Alabama; thence right along said Right of Way in a Northerly direction 3400 feet, more or less, to a point due West of the Southwest corner of the Mt. Zion Church Property; thence East 200 feet to said Southwest corner of the Mt. Zion Church Property; thence continue East along the South boundary of said Mt. Zion Church Property, 772.2 feet to the West boundary of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 33; thence North along said quarter-quarter line 400 feet, more or less, to the Section Line; thence East along said Section Line 1322.5 feet to the point of beginning, containing 265 acres, more or less.

TRACT 11

Commence at the Northwest corner of Section 26, Township 10 South, Range 3 West; thence South along the section line a distance of 1835.0 feet; thence East a distance of 30.0 feet to the East right of way line of a paved county road, and the point of beginning; thence South along the said right of way line a distance 829.9 feet; thence South 44 degrees 37 minutes East a distance of 1849.8 feet to the Southeast corner of the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 26; thence East along the quarter-section line a distance of 324.4 feet; thence North a distance of 346.1 feet; thence North 43 degrees 09 minutes East a distance of 732.4 feet to the West right of way line of U. S. Highway No. 31; thence North 47 degrees 22 minutes West along the said right of way line a distance of 2330.7 feet; thence South 52 degrees 38 minutes West a distance of 516.8 feet to the point of beginning.

The above described land lies in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$, SW $\frac{1}{4}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ -SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 26, Township 10 South, Range 3 West in Cullman County, Alabama, and contains 60.8 acres, more or less.

Tract III

Commence at the Northeast corner of Section 32, Township 9 South, Range 3 West; thence South along the section line 1267.7 feet to the Northeast corner of the Southeast Quarter-Northeast Quarter of Section 32, and the point of beginning; thence continue South along the section line a distance of 987.4 feet to the Northwest corner of Lot 29 in the First Addition to Northwood Subdivision; thence 16 degrees 00 minutes Right along the West line of said lot, a distance of 60.1 feet to the Northwest corner of Lot 28 in the said Addition; thence 16 degrees 00 minutes Right, along the West line of Lots 27 and 28, a distance of 300.0 feet to the South line of Northwood Drive; thence at right angles eastwardly a distance of 213 feet to a point on the section line; thence South along the section line a distance of 645.6 feet to the North right of way line of the Tennessee Valley Authority; thence northwestwardly along the said right of way line to the point of intersection with the West line of the Southeast Quarter-Northeast Quarter of Section 32; thence North along the quarter-section line a distance of 874.9 feet to the northwest corner of the Southeast Quarter-Northeast Quarter of Section 32; thence East along the quarter section line a distance of 1345 feet to the point of beginning.

The above described property lies in the Southeast Quarter Northeast Quarter and the Northeast Quarter-Southeast Quarter of Section 32, Township 9 South, Range 3 West in Cullman County, Alabama, and contains 44.5 acres, more or less.

TRACT IV

All that part of the Northwest Quarter of the Southeast Quarter of Section 5, Township 10, Range 3 West, lying West of the Dripping Springs Road; Less and except a tract of land described as follows: Begin at a point on the half section line 178 feet West of the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 5, Township 10, Range 3 West, said point being the center of the Dripping Springs Road; thence South 11 degrees 01 minutes East along said road a distance of 430 feet to the North side of an intersecting road; thence North 89 degrees 47 minutes West along the North side of said county road a distance of 202.5 feet; thence North 11 degrees 12 minutes West a distance of 430.6 feet to a point on the half section line; thence East along half section line 202.5 feet to the point of beginning, containing 2 acres, more or less. SUBJECT also to a strip of land 15 feet wide run-

ning from the Dripping Springs Road West to the West line of said forty. SUBJECT to all existing right of ways for public roads and public utility lines and poles.

All that tract or parcel of land lying West of the Dripping Springs Road and located in the Northeast Quarter of the Southeast Quarter, Section 5, Township 10, Range 3 West and lying in the Southwest Quarter of said quarter section. Containing an aggregate of 38 acres, more or less, in both tracts.

TRACT V

All that part of the Southwest Quarter of the Northwest Quarter of Section 26, Township 10, Range 3 West lying West of the right of way of U. S. Highway No. 31 with the exception of that part thereof heretofore conveyed by sellers herein to buyer herein by deed dated July 21, 1965, the tract of land covered by this deed being 2.9 acres, more or less.

TRACT VI

(a) All that part of the Southwest Quarter of the Southeast Quarter, Section 3, Township 10, Range 3 West, lying and being West of the Creek and North of Eva Highway, and also a strip ten (10) feet wide along the East side of said Creek and North of Eva Highway, containing one (1) acre, more or less.

(b) All that part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 10, Range 3 West which lies North of Eva Highway except that part of said quarter section described in the foregoing paragraph (a).

(c) Lots No. 28, 29, 30, 31, 32, 33, and 37 in Cramton Subdivision, a map of which of record in the office of the Judge of Probate of said county, said lots containing 35 acres, more or less, excepting however the East 50 feet of said lots 28, 29, 30 and 31 and the East 50 feet of that part of said lot No. 32 which lies North of the Eva Highway.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared ROBERT BRYAN, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, 11, 18, 1967.

ROBERT BRYAN.

Sworn to and subscribed before me this the 19th day of July, 1967.

COLLEEN BUCHANAN,
Notary Public.

My Commission Expires Nov. 4, 1968

By Messrs. Oden and McDermott:

S. 495. To amend Section 2 of Act No. 175 adopted at the Regular Session of 1951 of the Legislature of Alabama so as to permit any corporation at any time existing under the said Act No. 175 or under Sections 394 to 402, inclusive, of the Alabama Code of 1940, as amended, to amend its certificate of incorporation under the provisions of the said Act No. 175 so as to include in the said certificate of incorporation any provision that may lawfully be included in an original certificate of incorporation filed under the said Act No. 175.

Committee on Municipalities and
Municipal Organizations.

By Messrs. Goodwyn, Branyon, Nabors, Skidmore, Albea, Pierce, Jackson, Giles, Cooper, Vacca, Engel, Hawkins and Lolley:

S. 496. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who served honorably in the armed forces of the United States at any time during the period from January 31, 1955 through December 31, 1963 and under certain conditions to the wives and widows of persons who served honorably during this period.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lemley:

H. 464. Relating to Blount County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Blount County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm, corporation or association to discharge, dispose or negligently to allow the deposit in

the public streams of Blount County, Alabama, of any raw sewage, industrial wastes, or other wastes, including any soil, sand, clay, chalk, kaolin, muck, slush or other residue resulting from any excavations or preparations for roads, bridges, industrial, recreational or other building sites, or mining operations, (not limited to but including hydraulic mining operations), soil testing, reclamation projects or other operations of any nature whatsoever in such manner as to pollute, discolor, contaminate clog or divert the public streams in said county.

Section 2. Any person, firm, corporation or association violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars. Each day such violation continues shall constitute a separate offense.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF BLOUNT

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 1st day of June, 1967, and ending on the 22 day of June, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 22 day of June, 1967.

MOLLY RYAN.

Also:

By Messrs. Hill and Haygood:

H. 430. Relating to Lauderdale County: To provide further for the distribution of fines and forfeitures in certain cases.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9728A:4/18/67)

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County: To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Lauderdale County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Lauderdale County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Based on 1966-1967 revenues this Act will bring a \$12,597.71 addition into the General Fund of Lauderdale County annually.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1967.

RICHARD N. HAMMELL.

Sworn to and subscribed before me June 21, 1967.

WALLACE E. OWENS, JR.
Notary Public—State at Large.

Also:

By Messrs. Beck and Meade:

H. 366. Fixing the salaries of the Sheriff, Tax Assessor, Tax Collector, Register, and Circuit Clerk of DeKalb County, Alabama, and to provide payment of same.

Also:

By Messrs. Hill and Haygood:

H. 431. Providing for permissive change in the basis of compensating the coroner of Lauderdale County, authorizing the governing body of such county to put such officer on a salary basis in lieu of fees, commissions, percentages and allowances as prescribed by law and providing that such salary shall be paid out of the general fund of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9530:2/15/67)

A BILL
TO BE ENTITLED
AN ACT

Providing for permissive change in the basis of compensating the coroner of Lauderdale County, authorizing the governing body of such county to put such officer on a salary basis in lieu of fees, commissions, percentages and allowances as prescribed by law and providing that such salary shall be paid out of the general fund of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lauderdale County may by resolution duly adopted and entered in the minutes of such court change the basis of compensating the coroner of the county by placing such officer on a salary of not less than \$1800 per annum nor more than \$2,400 per annum, the amount of the salary to be fixed from time to time by the governing body of the county in accordance with constitutional requirements relative to changing the compensation of elected public officials during their term. Such salary, when authorized, shall be payable in equal monthly installments out of the general fund of the county.

Section 2. Whenever the coroner of Lauderdale County is placed on a salary as herein provided, such salary shall be the entire compensation of such officer for the performance of his duties and shall be in lieu of all fees, commissions, percentages, and allowances prescribed by law for the performance of such duties of office. Any fees, commissions, percentages, or allowances not payable by the county which would be collectable for the use of the coroner but for the provision of this Act shall be paid into the general fund of the county.

Section 3. The provisions of this Act are permissive.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Royce B. Isom, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on March 22, March 29, April 5, and April 12, all in the year 1967.

ROYCE B. ISOM.

Sworn to and subscribed before me April 12, 1967.

WALLACE E. OWENS, JR.,
Notary Public, State at Large.

My Commission Expires Oct. 17, 1967

Also:

By Messrs. Hill and Haygood:

H. 432. To repeal Act No. 654, H. 1049, approved September 20, 1957, entitled "An Act Providing for the permissive change in the basis of compensating coroners of all counties having a population of not less than 53,000 nor more than 56,200 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of all such counties to place such officers on a salary in lieu of all fees, commissions, percentages and allowances prescribed by law for the performance of such duties; prescribing that such salary shall be paid out of the general fund of the county."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9530:2/15/67)

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 654, H. 1049, approved September 20, 1957, entitled "An Act Providing for the permissive change in the basis of compensating coroners of all counties having a population of not less than 53,000 nor more than 56,200 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of all such counties to place such offices on a salary in lieu of all fees, commissions, percentages and allowances prescribed by law for the performance of such duties; prescribing that such salary shall be paid out of the general fund of the county."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 654, H. 1049, approved September 20, 1957, entitled "An Act Providing for the permissive change in the basis of compensating coroners of all counties having a population of not less than 53,000 nor more than 56,200 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of all such counties to place such officers on a salary in lieu of all fees, commissions, percentages and allowances prescribed by law for the performance of such duties; prescribing that such salary shall be paid out of the general fund of the county," (Acts of Alabama, Regular Session 1957, v. 2, p. 996) is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Royce B. Isom, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 22, March 29, April 5, and April 12, all in the year 1967.

ROYCE B. ISOM.

Sworn to and subscribed before me, 19 .

WALLACE E. OWENS, JR.,
Notary Public, State at Large.

My Commission Expires Oct. 17, 1967

Also:

By Mr. Williams:

H. 470. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of The Board of Equalization in such counties.

Also:

By Messrs. Lybrand, Burgess and Merrill:

H. 493. Relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; regulating the compensation of the judges of the juvenile and domestic relations courts in such counties.

Also:

By Messrs. Grayson, Wood, Smith (C), Perloff, Collins (W), Marr, Downing and Hogan:

H. 501. To provide that the governing body of cities having a population of not less than two hundred thousand nor more than three hundred thousand according to the last or any subsequent federal decennial census shall be empowered to offer a reward for the apprehension or furnishing of information leading to the apprehension and conviction of persons committing crimes within said cities in an amount not exceeding one thousand dollars.

Also:

By Mr. Wright:

H. 369. To alter, rearrange and extend the boundary lines of the City of Gadsden in Etowah County, Alabama, so as to include within the corporate limits of said city certain property herein set out and described.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. Begin at a point on the North line of the SE $\frac{1}{4}$ -NW $\frac{1}{4}$, Section 24, said point being on present corporate limits of the City of Gadsden, also being a point on the West side of New York Avenue; thence in a southerly direction and along the West side of New York Avenue to where same intersects the North side of Sunset Circle; thence in a westerly direction and along the North side and West side of Sunset Circle to a point on the South side of Gray Road; thence in a northeasterly and easterly direction and along the southerly side of Gray Road to where same intersects the West side of Nunnally Avenue, thence in a southerly direction and along the West side of Nunnally Avenue a distance of 430.6 feet to a point; thence South 87 degrees 30 minutes West a distance of 661.5 feet to a point; thence North 1 degree 52 minutes West and in a direct line to a point on the North side of Gray Road; thence in a southwesterly direction and along the northerly side of Gray Road to a point where the East side of Wilmer Avenue intersects same; thence in a northerly direction and along the East side of Wilmer Avenue to a point on the northeast corner of said Wilmer Avenue; thence continue in said northerly direction and in a direct line to a point on the North line of said SE $\frac{1}{4}$ -NW $\frac{1}{4}$ which is a point on the present corporate limits of the city of Gadsden; thence in an easterly direction along the North line of said SE $\frac{1}{4}$ -NW $\frac{1}{4}$ and the present corporate limits of the city of Gadsden to a point on the West side of New York Avenue which is the point of beginning.

Said described proposed addition lying and being in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 24, Township 12 South, Range 6 East in Etowah County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, James M. Striplin Jr a Notary Public, in and for said County, in said State, personally appeared I B Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said a fidavit notice of the bill to be enacted, which notice was printed in The Gadsden Times in its regularly circulated editions on May 13, 20- 27, June 3, and 10 1967, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 12 day of June, 1967.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 12 day of June, 1967.

JAMES M. STRIPLIN, JR.,
Notary Public,
Etowah County, Alabama.

My Commission Expires January 20, 1969

Also:

By Messrs. Snodgrass, Jones, Pennington and McLain:

H. 477. To provide an additional and alternate method of issuing licenses and the paying for same in Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an additional and alternate method of issuing licenses and the paying for same in Madison County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following words and phrases used in this act shall have meanings herein ascribed to them: (a) "Person": Every individual, partnership, association, trust, or corporation or the receivers, assignees, or agents of any of them. (b) "License": Any privilege or occupational licenses, including store licenses, milk store licenses, retail fish and oyster licenses, wholesale fish license and commercial fishing licenses, but not including hunting and fishing licenses issued for pleasure.

Section 2. This act shall apply only in Madison County.

Section 3. On or before September 1 of each year, but not prior to August 15 of each year, the director of the county licensing department of such county may, if he elects to do so, mail an application for renewal of license, in the form and containing the information hereinafter provided, to all persons, firms, and corporations to whom a license was issued during that license year as reflected on the records in his office.

Section 4. The application form shall reflect the name and the address of the person, firm or corporation as it appears on the license records in the county license department, and shall contain a space for the correct amount of license or licenses due, the issuance fee, and the mail fee provided for by this act. The application form shall reflect the due date of the license and the delinquent date of the license, and shall also contain a space for the person, firm or corporation to fill in the present address of the business if different from that shown in the application form, and shall contain a space for his signature. If the person, firm or corporation is located in a different municipality, or an area having been annexed to a municipality, other than the one shown on the application, or is at the time the license is due located in an area where the license rate is different from that of the preceding year, it shall be the duty of the licensee to return the application to the license director before October 1, setting out such changes and requesting that the license director make the necessary corrections in address and amount of license or licenses due, and it shall be the duty of the license director to return such corrected application within five days after receipt thereof.

Section 5. For preparing such application and mailing same by first class mail to the address of the person, firm or corporation as listed on the license records of the county license department, the department shall be entitled to a mailing fee of 50c for each mailing. Such mailing fee to be paid at the same time and in the same manner as other license issuance fees are paid.

Section 6. Any person, firm or corporation, subject to a license for the forthcoming year in such county, to whom a license was issued in the preceding year, shall, if he desires to secure such license by mail, sign the application form and return the same together with his remittance for the license or licenses due, along with the issuance fees as shown thereon, to the license director. The license director shall thereupon issue and mail such licenses to the person, firm or corporation making application thereof.

Section 7. When an application is returned to the license director for less than the correct amount of license due therefor because of a change of address or other cause, such application shall be returned to the applicant for the correct remittance. When an application is returned to the license director unsigned but with a payment for the correct amount of license or licenses due including fees, the license director may accept such application and proceed to issue the license as herein provided. The return of an application or remittance shall not, however, extend the time within which licenses may be paid.

Section 8. All applications for licenses by mail, and the correct amount of licenses and fees, shall be received by the license director on or before October 25 preceding the October 31 on which the licenses are due and payable. The license director shall mail such license receipts on or before October 30 preceding such October 31.

Section 9. The license director shall charge and collect an additional fee of 50c for each mailing of licenses, which shall be paid with the mailed request for licenses. Such additional fee shall be paid by the license director into the county treasury and the actual expense of mailing the application forms and the mailing of the license receipts as hereinabove provided shall be paid from the county treasury upon warrants signed and approved as provided by law.

Section 10. The application forms necessary in the administration of this act shall be furnished by the Board of Revenue, County Commission or other governing body in such county, and the license receipts shall be furnished by the State Department of Revenue.

Section 11. The procedure authorized by this act for the payment and issuance of licenses is optional, additional, and an alternative to the procedure now provided by law. Each person, firm or corporation shall continue to have the right to pay for and procure licenses in person without the payment of the mailing fee as provided under Section 9 of this act. The license director shall not be required to mail applications or to receive and issue license by mail unless he elects to do so.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 1, June 8, June 15, and June 22, all in the year 1967.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me June 23, 1967.

OPAL H. DILWORTH,
Notary Public.

Also:

By Mr. Paulk:

H. 515. To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

LEGAL

Notice is hereby given that during the regular session of the 1967 Legislature, there will be introduced the following bill:

A BILL TO BE ENTITLED AN ACT

To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama,

Be It Enacted by the Legislature of Alabama:

Section One: The boundaries and corporate limits of the City of Union Springs in Bullock County, Alabama, are hereby altered, extended, rearranged and re-designed so as to include within the corporate limits of

said municipality all of the land and territory lying within the following described boundaries and to exclude all territory lying outside such boundaries.

Start at the Northwest corner of Section 35, Township 14 North, Range 23 East, which is the point of beginning, and run thence East along the North Section Line of Section 35 one mile, more or less, to the NE corner of said Section 35, thence East along the North line of Section 36, Township 14 North, Range 23 East, $\frac{3}{4}$ of a mile, more or less, to the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 36, thence South along the Forty Line $\frac{1}{4}$ of a mile to the NE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 36, thence East along the Forty Line $\frac{1}{4}$ of a mile, more or less, to the East line of said Section 36, thence South along the said Section Line to the North right-of-way line of the Peachburg Road (County Road No. 40) which point is also the SE corner of Lot No. 11 in Ridgeview Subdivision, according to a map of said Subdivision which is now on file in the Probate Office of Bullock County, Alabama, run thence in a westerly direction along the North right-of-way line of said Peachburg Road, 1,167.80 feet to the SW corner of Lot No. 7 in said Ridgeview Subdivision, thence South and parallel to the Section line to the North line of the South Half of the SE $\frac{1}{4}$ of said Section 36, thence East along the said Forty Line to the East Section Line of said Section 36, thence South along the said Section Line $\frac{1}{4}$ of a mile more or less to the SE corner of said Section 36, thence South along the East Section Line of Section 1, Township 13 North, Range 23 East, $\frac{1}{4}$ of a mile, more or less, to the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1, thence West along the Forty Line, $\frac{1}{2}$ mile, more or less, to the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1, thence South along the Half Section Line of said Section 1, $\frac{3}{4}$ of a mile, more or less, to the South Line of Section 1, thence West along said Section Line $\frac{1}{4}$ of a mile, more or less, to the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1, thence South along the forty line to a point, which point is 150 ft. North of the SE corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 12 thence West and parallel with Section line to a point, which is 555 ft. East of the West Section line of said Sec. 12, thence South and parallel with the West Section line of said Sec. 12 to a point on the South Section line of said Sec. 12, thence West along said Section line 555 ft. to the SW corner of said Section 12, thence West along the South line of Section 11, Township 13, North, Range 23 East, one mile, more or less, to the SW corner of said Section 11, thence West along the South Section Line of Section 10, Township 13 North, Range 23 East, $\frac{1}{4}$ of a mile, more or less, to the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 10, thence North along the Forty Line $\frac{3}{8}$ of a mile, thence West and parallel with the Section Line $\frac{1}{4}$ of a mile, more or less, to the Half Section Line of said Section 10, thence North along the Half Section Line $\frac{5}{8}$ of a mile, more or less, to the North line of said Section 10, thence West along the South Section Line of Section 3, Township 13 North, Range 23 East, $\frac{1}{2}$ mile, more or less, to the SW corner of said Section 3, thence West along the Section Line $\frac{1}{4}$ of a mile, more or less, to the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 13 North, Range 23 East, thence North along the Forty Line $\frac{3}{4}$ of a mile, more or less, to the NW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, thence East along the Forty Line $\frac{1}{4}$ of a mile, more or less, to the East Section Line of said Section 4, thence East along the Forty Line $\frac{1}{2}$ mile, more or less, to the SE corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 3, thence North along the Half Section Line $\frac{1}{4}$ of a mile, more or less, to the North Section Line of Section 3, thence North along the Half Section Line of Section 34, Township 14 North, Range 23 East, to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 34, thence East along the Forty Line $\frac{1}{2}$ mile, more or less, to the East Section Line of said Section 34, thence North along said Section Line $\frac{1}{4}$ of a mile, more or less, to the NE corner of said Section 34 which is the point of beginning.

Where ever Sections 34, 35 and 36 are referred to in the above description, the same refers to Township 14 North, Range 23 East; and where ever Sections 1, 2, 3, 4, 10, 11 and 12 are referred to, the same refers to Township 13 North, Range 23 East.

Section Two: All laws and parts of laws which are in conflict with this act are hereby repealed.

Section Three: This act shall become effective immediately upon due passage and approval by the governor, or upon its otherwise becoming law.

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, Rubye M. Garner, a Notary Public, in and for said State and County, personally appeared W. H. Garner Publisher of the Union Springs Herald, a newspaper published at Union Springs, Bullock County, Alabama, who being duly sworn states on oath that he published a legal Notice, A Bill To Be Entitled an Act to alter, extend, etc. the boundaries and Corp. limits of the City of Union Springs, Ala. a true copy of which is attached hereto, was published in said newspaper for 4 consecutive weeks, in its issues of June 15, 1967, June 22, 1967, June 29, 1967, July 6, 1967.

W. H. GARNER,
Publisher.

Sworn to and subscribed before me this 7 day of July 1967.

RUBY M. GARNER,
Notary Public.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 516. To declare the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951, and as further amended by an Act approved July 24, 1953, in Counties in Alabama having a population of not less than 76,000, nor more 96,000 inhabitants according to the last or any subsequent Federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such Counties; to declare that habitual violations of the statute constitutes a legal nuisance in such Counties; to provide certain exemptions; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such Counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer jurisdiction for enforcement upon courts having equity jurisdiction in such Counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

Also:

By Messrs. Burgess, Lybrand and Merrill:

H. 517. To amend Section 1 of Act No. 175, H. 460, Regular Session 1965 (Acts 1965, p. 246), an act providing further for the compensation and authority of coroners in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, so as to regulate further the compensation of the coroner and to provide two-way radio equipment for his use.

Also:

By Mr. Melton:

H. 521. To empower the Board of Directors of Conecuh County to create and establish an insurance fund to provide accident, hospital and compensation insurance for employees and officers of Conecuh County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To empower the Board of Directors of Conecuh County to create and establish an insurance fund to provide accident, hospital and compensation insurance for employees and officers of Conecuh County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Directors, or other like governing body of Conecuh County, may create and establish an insurance fund to provide accident, medical, hospital and compensation insurance benefits for employees and officers of Conecuh County. The governing body shall have authority to make financial contributions to such fund in behalf of its employees, and all elected officials of Conecuh County that are compensated on a salary basis by the governing body. The governing body shall have authority to designate which of its employees and officers will be covered by the insurance fund under this Act.

Section 2. The governing body shall make such rules and regulations as it deems necessary to implement the provisions of this Act. When the governing body determines what benefits shall be payable from the insurance fund and when the rules and regulations have been established it shall be properly recorded in the minutes of said governing body. The governing body shall also codify the benefits, rules and regulations and a copy thereof shall be furnished each person covered by the fund and each hospital, clinic and physician cooperating in the program. Disbursements from the insurance fund shall only be made under the adopted rules and regulations.

Section 3. The governing body shall keep accounts and ledgers recording the receipt and disbursement of all monies of the insurance fund and a financial statement of such shall be published annually and semi-annually coincident with the closing of the fiscal year in a newspaper qualified under law to publish such official reports and notices.

Section 4. The governing body may also include as benefits of the insurance fund those benefits provided for under the Workmen's Compensation Act of the State of Alabama.

Section 5. Any person receiving or disbursing funds of the insurance fund or receiving benefits therefrom in any other manner than as provided in this Act shall be guilty of a misdemeanor and shall be fined not more than \$500 or sentenced to six months at hard labor or both.

Section 6. This Act shall be effective upon its passage and approval.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1967.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 10, 1967.

HAROLD ADAMS.

Also:

By Mr. Melton:

H. 522. To provide an expense allowance for members and the chairman of the Conecuh County Board of Directors or other like governing body of Conecuh County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for members and the chairman of the Conecuh County Board of Directors or other like governing body of Conecuh County.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member and chairman of the Conecuh County Board of Directors, or other like governing body, shall, in addition to the salaries prescribed for them by law, be entitled to an amount not exceeding \$200 per month as an allowance for expenses; provided, that the exact amount of such allowance shall be fixed or set only by resolution of the county governing body unanimously approved by all members of the body and the chairman. When fixed as prescribed herein, the allowances shall be paid from any funds in the county treasury available for that purpose.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1967.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 10, 1967.

HAROLD ADAMS.

Also:

By Messrs. Melton and Garrett:

H. 523. Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Conecuh County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Conecuh County.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Conecuh County of violation of the rules of the road, or the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this state, shall be paid into the general fund of Conecuh County, and the remainder shall be remitted by the proper authority to the state treasurer, who shall credit the same to the proper fund in the state treasury.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1967.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 10, 1967.

HAROLD ADAMS.

Also:

By Messrs. Hill and Haygood:

H. 530. To provide for an appeal from any decision of a Civil Service Board in cities having a population of not more than 33,000 nor less than 31,500 according to the most recent federal decennial census.

Also:

By Messrs. McLain, Pennington, Jones, Snodgrass and Laxson:

H. 533. To alter, rearrange and extend the boundary lines and corporate limits of the City of Huntsville so as to annex certain territory to the City of Huntsville, Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill, in substance as follows, will be introduced in the Legislature of the State of Alabama, and application will be made for its passage and approval as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of Huntsville so as to include in the corporate limits property herein described.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of Huntsville, Madison County, are hereby altered, rearranged and extended so as to include within the corporate limits of the City the following described territory situated in Madison County, Alabama, to-wit:

All that part of the Northeast quarter of Section 29, Township 3 South, Range West of the Huntsville Meridian, Madison County, Alabama, particularly described as beginning at a point that is the center

of the East boundary of said Section 29. Said point is further described as being the Northwest corner of Lot 6, Block 5, Rutledge Heights, Seventh Addition, as recorded in Plat Book 5, Page 88 of the Probate Records of Madison County, Alabama. Thence from the point of beginning North 01 degree 11 minutes East 348.27 feet to a point; thence North 88 degrees 53 minutes West 1852.80 feet to a point; thence South 07 degrees 46 minutes West 368.5 feet to a point on the Half-Section Line which runs East and West through the center of said Section 29; thence North 89 degrees 59 minutes East 1892.0 feet to the point of beginning and containing 15.35 acres and .024 square miles more or less.

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF MADISON

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says she is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 29, June 5, 12, and 19, 1967.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 21 day of June, 1967.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

Also:

By Mr. Bassett:

H. 540. To apply only in counties having populations of not less than 25,800 nor more than 26,700, providing that the Pike County Board of Education is hereby authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff.

Also:

By Messrs. Higginbotham, Turnham and Brassell:

H. 381. To apply only in counties in the state having a population of not less than 49,500 nor more than 50,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

By Messrs. Stembridge and Crawford:

H. 419. To extend, alter, and rearrange the boundary lines and corporate limits of the town of Cowarts, Houston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply in the current session of the Legislature of Alabama now in session for the passage of a local law substantially in words and figures as follows:

A BILL TO BE ENTITLED AN ACT

To extend, alter, and rearrange the boundary lines and corporate limits of the Town of Cowarts, Houston County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1: That the boundary line and corporate limits of the Town of Cowarts, Houston County, Alabama be and the same are hereby extended, altered, or rearranged so as to include within the corporate limits of the said Town of Cowarts all of the following described territory:

Beginning at the NW corner of Section 26 T3N R27E, thence East a distance of one & one quarter mile to the NE corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 25 T3N R27E, thence South a distance of one & one quarter mile to the SE corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 36, T3N R27E. Thence West a distance of one & one quarter mile to the SW corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 35, T3N, R27E, thence North a distance of one & one quarter mile to the NW corner of Section 26, T3N, R27E.

Said described boundaries including all of Section 26, T3N, R27E and NW $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25 T3N, R27E and NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 35 T3N R27E and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 36 T3N R27E in Houston County, Alabama.

Section 2: All laws and parts of laws in conflict with the provisions of this act are hereby repelled. Section 3: This act shall be effective upon its passage and approval by the Governor or upon its otherwise becoming a law. Witness this 17th day of May, 1967.

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, May 18, 25 June 1, 8, 1967 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post

Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 22 day of June, 1967.

GLENDIA JEAN POWELL,
Notary Public.

Also:

By Messrs. McCorquodale and Agee:

H. 497. Relating to Clarke County, Alabama; authorizing and providing for the establishment, maintenance, operation, control and financing of a Public Law Library for the County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CLARKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of the State of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Clarke County, Alabama; authorizing and providing for the establishment, maintenance, operation, control and financing of a Public Law Library for the County:

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners, Board of Revenue or like governing body of Clarke County, Alabama shall establish and maintain a Public Law Library in the County and may expend public funds, not otherwise appropriated, to provide suitable housing, quarters, furniture, fixtures and equipment for the library and to keep it in a good state of maintenance and repair; to expand, improve or add to the library, its facilities and equipment; to purchase such books and periodicals as may be needed from time to time.

Section 2. There shall be taxed as costs the sum of One Dollar in each criminal action brought in the Inferior Court of Clarke County, or any other Inferior Court hereafter created and in each criminal and civil action at law and suits in Equity in the Circuit Court of Clarke County, Alabama, whether filed in, arising in, or brought by appeal or certiorari or otherwise to the Court, which costs shall be collected as other costs are collected by the Clerk of said Court and the Register in Equity as the case may be, which costs shall be designated the "Law Library Fee." Not later than the 10th of each month such fees as have been collected during the preceding calendar month shall be paid into the County Fund to the credit of a special fund to be designated the Law Library Fund of Clarke County, Alabama, by the said Clerks.

Section 3. The management of the Clarke County Public Law Library shall be vested in a committee of three members elected for terms of one year by the Clarke County Bar Association. The manage-

ment committee shall have full authority to purchase books and periodicals and other materials, equipment, and supplies and to fix the salaries of any personnel as may in the opinion of the committee be advisable and, if circumstances permit, to designate court officials or other clerical help in the courthouse to operate or to assist in the operation of the Library. The committee may also from time to time sell or exchange any books, reports, periodicals and personal property, and apply the proceeds of the sale or the value thereof upon the purchase of other books, reports, periodicals and personal property for use in the Library, and may, in its discretion, accept any gift or loan of such items upon terms and conditions stipulated by the lender or donor. The management committee shall have full authority to execute contracts in connection with the operation of the law library, which may create obligations constituting a proper charge payable from the Clarke County Law Library Fund and shall not thereby obligate the individual members of the committee.

Section 4. Expenditures from the Clarke County Law Library Fund Shall be made on orders of the management committee. All books, periodicals and other property of the library shall be the property of Clarke County, Alabama.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective, immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

I hereby certify that the above notice was published in the Clarke County Democrat, in its issues of April 27, May 4, 11 and 18, 1967.

G. A. CARLETON,
Publisher.

Sworn to and subscribed before me this 26th day of June, 1967.

NELL A. CHAPMAN,
Notary Public, Clarke County.

Also:

By Mr. Mathews:

H. 519. To amend Act No. 286, H. 250, Regular Session 1965, an act regulating the compensation of members of the county board of education in counties having populations of not more than 10,800 according to the most recent federal decennial census (Acts, Regular Session 1965, v. 1, p. 399).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 464, 430, 366, 431, 432, 470, 493, 501, 369, 477, 515, 516, 517, 521, 522, 523, 530, 533, 540, 381, 419, 497 and 519. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pennington:

H. 263. To provide that agents or employees of the department of revenue designated in writing by the commissioner of revenue shall be peace officers of the State of Alabama with police power to enforce the provisions of the revenue laws of this State; to provide for an arrest fee of five dollars (\$5.00) and the disposition thereof.

Also:

By Mr. Pennington:

H. 267. To amend Section 1 of Act No. 223 of the Special Session of 1967, approved May 10, 1967, which amends Section 692, among other sections of the motor vehicle license laws, Title 51, Code of Alabama 1940.

Also:

By Messrs. McCorquodale, Hobbie, Pruitt, Shumate, Owen (Baldwin), Headley, Stembridge, Drake, Grayson, Tuck, Bank, Agee, Brannan, Bassett, Smith (P), Jackson (F), Foshee, Fine, Graham, Harper, Collier, Lemley, Lybrand, Higginbotham, Pearson, Snell, Mays, Owens (W), Garrett, Melton and Burgess:

H. 496. To amend further Title 51, Sections 692, 697 and 703, Code of Alabama 1940, so as to make further provisions respecting licenses and registration fees on motor vehicles and trailers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 263, 267 and 496. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 282. To provide for an expense allowance for each of the circuit judges of all judicial circuits in this State composed of five (5) counties, with not less than three (3) circuit judges; and providing for the payment of such expense allowance out of the general funds of the counties composing such judicial circuits.

Also:

S. 225. To provide an expense allowance for the district attorney of the Second Judicial Circuit of Alabama, payable by the counties composing said circuit; providing an effective date and a termination date for operation of the Act.

Also:

S. 226. To provide an additional expense allowance to the judge of the second judicial circuit of Alabama payable by the counties composing said circuit; providing for an effective date and a termination date for the operation of the act.

Also:

S. 304. To amend Act No. 107, H. 455, Regular Session 1965, an act changing the method of compensating certain officers of Lauderdale County and placing such officers on a salary basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. House, Dill, Watkins, Beck, Drake, Adwell, Merrill, Lybrand, Mathews, Burgess, Garrett, Money, Weeks, Kilgore, Culver, Meeks, Cook (Jefferson), Waggoner, Shumate, Meade, Pennington, Jones and Pruitt:

H. 238. To provide a legal defense fund for the benefit of state law enforcement officers in certain cases.

Also:

By Messrs. Sessions, House, Dill, Crane, Watkins, Smith (P), Berryman (W), Graham, Cook (Jefferson), Culver, Bowers, Meeks, Kilgore, Jackson (T), Holman, Owen (Baldwin), Owens (W.E.), Tuck, Young, Money, Cherner, Bank, Hain, Turnham, Wright, Snodgrass, Burgess, Smith (C), Hobbie, Marr, Lybrand, Fine, Brassell, Slate, Hardin, Waggoner, Higginbotham, Weeks, Neville, Beck, Shumate, McDonald, Ellis, and Stubbs:

H. 471. To provide for establishment and operation of an Alabama Sports Hall of Fame Board, and to prescribe its powers and duties.

Also:

By Mr. Smith (P):

H. 297. Proposing an amendment to the Constitution of Alabama authorizing each county and municipality of the State to levy and collect additional property taxes for library purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 238, 471 and 297. To the Committee on Finance and Taxation.

(The above numbered Bill, H. B. 297, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wright and Malone:

H. 528. Relating to law enforcement in all counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

By Messrs. Starnes, McDonald and Drake:

H. 535. Relating to counties having populations of not less than 47,000 nor more than 49,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fees.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 555. To amend further Act No. 608, H. B. 700, Regular Session 1951, an act establishing a retirement fund and pension system for policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), and giving the amendment retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Act No. 608, H. B. 700, Regular Session 1951, an act establishing a retirement fund and pension system for policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 14 of Act No. 608, H. B. 700, Regular Session 1951, an act establishing a retirement fund and pension system for the benefit of policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), is hereby amended so as to read as follows:

Section 14. The Fund shall consist of the following: (a) all of the money, securities and things of value belonging to any similar fund now being maintained in the city; (b) all money or properties that may be given or donated by any person, firm, association or corporation for the uses and purposes for which the Fund is created, and the Board may take, by gift, grant, devise, or bequest, any money, personal property or real estate, or any interest therein or any right of property for the benefit of the Fund; (c) five per cent of the monthly salaries of each member of the police and fire departments, which shall be paid by the city clerk of the city to the secretary-treasurer of the Board on the first day of each month, and such five per cent of such salaries shall be deducted from the salaries paid such members, provided, that the monthly deduction shall be raised to seven per cent after December 31, 1969, if the

Board determines that the corpus of the Fund has become impaired by the payment of benefits as provided in Section 16 of this Act, as amended; (d) an amount equal to the amount paid into the Fund under subsection (c) of this Section shall be paid into the Fund monthly out of the city treasury; (e) all reward money paid to any member of the police or fire department shall be paid by the recipients of the same into the Fund promptly upon receipt; (f) all civil and criminal witness fees received by any member of the police or fire departments for attendance at or before any court or grand jury in Calhoun County shall be paid into the Fund promptly upon receipt thereof by their recipients; (g) each private public utility, qualified to do business under the laws of Alabama and selling electricity or electric current or natural gas or intra-city bus transportation or local exchange telephone service or telegraph service in Anniston, shall annually, on or before the first day of March of each year, pay into the fund a sum equal to one-half of one per cent of the gross revenues of such utility from the sale of electricity or electric current or natural gas or intra-city bus transportation or local exchange telephone service or telegraph service within the corporate limits and police jurisdiction of the City during the preceding year; however, the sum equal to one-half of one per cent of the gross revenues of such private public utilities selling electricity or electric current or natural gas or intra-city bus transportation or local exchange telephone service or telegraph service in such city and its police jurisdiction, from the sale of electricity or electric current or natural gas or intra-city bus transportation or local exchange telephone service or telegraph service therein, required by subsection (g) of this section to be paid by such private public utilities into the Policemen's and Firemen's Retirement Fund, and shall be treated and held to be a part of, and shall be deducted from and offset against, any privilege or license tax which the municipal corporation may by law impose upon such public utility engaged in the business of selling electricity or electric current or natural gas or intra-city bus transportation or local exchange telephone service or telegraph service within such city; accompanying such payment by each private public utility there shall be filed with the secretary-treasurer a sworn statement by an officer or authorized agent of such utility showing the amount of the gross revenue received by such utility from the sale of electricity or electric current, natural gas, local exchange telephone service, telegraph service or intra-city bus transportation service in such territory during the preceding year. Any such utility which fails or refuses to comply with the provisions of this Section shall forfeit to the Fund the sum of \$1,000.00 to be recovered in a suit instituted in the name of the Fund by the city attorney.

Section 2. Section 16 of said Act No. 608 of 1951, as amended, is amended further so as to read as follows:

Section 16. Any member of the fire or police department who has been in service for as long as twenty years shall be retired from service in such department, without medical examination or disability, upon his making application to the Board therefor. Upon such retirement, the Board shall direct the payment to such retired member, monthly, from the Fund, the amount hereinafter provided:

For 20 to 25 years service, \$200 a month;

For 25 to 30 years service, \$225 a month;

For 30 or more years service, \$250 a month.

Section 3. Section 18 of said Act No. 608 of 1951, as amended, is amended further so as to read as follows:

Section 18. If any member of the police or fire department becomes physically or mentally permanently disabled for service as a result

of injuries received in the line of duty so as to render his retirement from such service necessary, the Board shall retire such member from service and shall order the payment to him of full retirement benefits as provided in this Act for his particular position, office, salary or class of work. If any member becomes physically or mentally permanently disabled for service as a result of injuries received other than in the line of duty so as to render his retirement from such service necessary, the Board shall retire such member from service and shall order the payment to him of fifty per cent of full retirement benefits as provided in this Act for his particular position, office, salary or class of work. If any member having ten or more years of service becomes disabled for service from any other cause, the Board may retire such member and order payment of benefits to him on the following basis: For 10-15 years of service, \$75 a month; from 15-20 years of service, \$100 a month; for more than 20 years of service, the benefits provided in Section 16 of this Act, as amended.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Vice President of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1967.

RALPH W. CALLAHAN.

Sworn to and subscribed before me 10th of July, 1967.

ALMUS J. THORNTON,
Auditor-Notary Public.

Also:

By Messrs. Drake, McDonald and Starnes:

H. 579. To amend further Section 2 of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To amend further Section two of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, v. 1, p. 45) the act creating the Cullman County Commission on Education, is hereby amended so as to read as follows:

S 2. The Cullman County Commission on Education shall be composed of seven members elected by districts as follows: One member shall be elected from each of the school attendance areas hereinafter described and shall be a qualified elector of, and shall reside in said district and each member shall be elected by the qualified electors residing in his district, said districts being described as follows:

District one, the West Point area, shall consist of election precincts 13, 14, 15, 16, 17 and 33; district two, the Fairview area, shall consist of election precincts 19, 28, and 32, and also, election district one of precinct 20 and election district one of precinct 21; district three, the Holly Pond area, shall consist of election precincts 22, 23 and 24 and also election district two of precinct 20 and election district two of precinct 21; district four, the Hanceville area, shall consist of election precincts three, four, five, six, 25, 27 and 31; district five, the Cold Springs area, shall consist of election precincts 7, 8, 9, 10, 12 and 26; district six, the Vinemont area, shall consist of election precinct 18, districts 1 and 2, and precinct 30; district seven, the Good Hope area, shall consist of election precinct 2, districts 1 and 2, and election precincts 11 and 29. The members of the Commission for districts two and four shall each be elected at the general election in November 1970, and every four years thereafter. The members for districts one, three and five, shall be elected at the general election in November 1968, and every four years thereafter. The first members of the Commission for districts six and seven shall be appointed by the Governor, and their successors shall be elected at the general election in November 1970, and every four years thereafter. Members of the Commission shall take office on the first Monday after the second Tuesday in January next succeeding their election. They shall qualify and be removed in the same manner as members of county boards of education. All members of the Commission shall be, at the time of their election or appointment, and during their continuance in office, qualified electors of Cullman County and of the district for which he is elected or appointed. The members of the Commission shall elect a chairman from among their own number, and any four members of the Commission shall constitute a quorum for the transaction of its business.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, July 11, 1967, all in the year 1967.

ROBERT BRYAN.

Sworn to and subscribed before me this the 11th day of July, 1967.

COLLEEN BUCHANAN,
Notary Public.

My Commission Expires Nov. 4, 1968.

Also:

By Messrs. Gafford, Money, Crane, Sessions, Holman, Dill, Cherner, Jackson (T), Cook (Jefferson), Adwell, Bowers, Ellis, Weeks, Waggoner, House, Meeks and Watkins:

H. 566. To fix the compensation of election officers in all general, special, municipal and primary elections held in counties which now have, or which may hereafter have, a population in excess of 500,000 according to the last or any subsequent Federal decennial census.

Also:

By Messrs. Pruitt, Brassell, McCorquodale, Turnham, Agee, Melton, Berryman (W), Graham, Bassett, Cook (Coffee), McLain, Snodgrass, Laxson, Jones, Jackson (F), Foshee, Stubbs, Harper, Pennington, Mays, Culver, Bank, Money, Jackson (T), Shumate, Dobbs, Watkins, Drake, Starnes, McDonald, Beck, Lybrand, Williams, Cherner, Snell, Higginbotham and Garrett:

H. 49. To provide Supernumerary Tax Collectors, Tax Assessors, License Commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama; describing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and providing for the payment of their salaries.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 528, 535, 555 and 579. To the Committee on Local Legislation No. 1.

H. B. 566. To the Committee on Local Legislation No. 2.

H. B. 49. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 88. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 88

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, H. B. 88, have met and considered the matter referred and beg leave to report as follows:

We recommend that the Senate recede from its amendments to the bill;

We recommend that the following substitute for the bill be adopted by both houses and that the bill as amended by the substitute be passed.

H. B. 88 AS SUBSTITUTED

A BILL
TO BE ENTITLED
AN ACT

To further provide for auditing of the books and records of publicly owned hospitals, nursing homes, rest homes, and any other publicly owned medical institutions by independent certified public accountants.

Be It Enacted by the Legislature of Alabama:

Section 1. The books and records of publicly owned hospitals, nursing homes, rest homes, or any other publicly owned medical institution may upon request of the Governing Board of the particular institution be audited annually by any certified public accountant, who is subject to the control of the Alabama State Board of Public Accountancy. The selection of the Certified Public Accountant to perform the audit shall be the responsibility of the governing Board of the particular institution. Such audit upon approval as hereinafter provided shall be in lieu of any audits otherwise required by law of said institutions. The audit to be performed by the certified public accountant shall be in accordance with generally accepted auditing standards and shall comply with the procedures promulgated by the Chief Examiner of Public Accounts and the audit report shall be addressed to the chief examiner of public accounts who shall be charged with the responsibility of processing and distributing it as provided by law and upon approval and acceptance such audit report shall have the legal effect as a report of an examiner of public accounts.

Examinations and audits performed upon provisions of this section shall be made at the expense of the institution and not as an expense of the State of Alabama. Such audit reports shall be public records open to public inspection and a copy of each report shall be kept on file at the institution concerning which the audit was made.

Section 2. The provisions of this Act shall be cumulative and supplemental and shall be construed in *pari materia* with other laws relative to the audit of the books and records of publicly owned hospitals, nursing homes, rest homes, and any other publicly owned medical institutions.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Respectfully Submitted:

Curtis H. Springer

Bert Bank

Joe C. McCorquodale, Jr.

Conferees on the part of the House

E. W. Skidmore

O. J. Goodwyn

Roland Cooper

Conferees on the part of the Senate

Yeas 82; Nays 0.

And said bill:

H. 88. To provide for the delegation of the audit function of hospitals and nursing homes by the Chief Examiner of Public Accounts to independent Certified Public Accountants.

as amended by the report of the Committee of Conference was again read at length and passed by a vote of Yeas 79; Nays 0.

And said bill, together with the Report of the Committee of Conference is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Skidmore, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 88, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 23; Nay 1.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Bailes	Giles	Jackson	Oden
Branyon	Gilmore	Lindsey	Skidmore
Carr	Givhan	Lolley	Stone
Childs	Goodwyn	McCarley	Turner
Cooper	Harris	McDermott	Vacca

—23

Nay: Mr. Torbert

—1

And said Bill, H. B. 88, as thus amended by the Conference Report, was again read at length and passed.

Yeas 23; Nay 1.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Bailes	Giles	Lindsey	Pelham
Branyon	Gilmore	Lolley	Skidmore
Carr	Goodwyn	McCarley	Stone
Childs	Harris	McDermott	Turner
Cooper	Hawkins	Morrow	Vacca

—23

Nay: Mr. Torbert

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 58. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 214. To make further provisions respecting the board of revenue of Barbour County; to reduce the size of such board and redivide Barbour County into board of revenue districts and prescribe the representation of each district on such board; to provide for a president of such board; to provide for the election, term of office and compensation of members of the board; to provide for filling vacancies on the board; to repeal Act No. 221, S. 165 of the Regular Session of 1919 and Act No. 10, S. 60 of the Regular Session of 1965, which amends said Act No. 221 of 1919 and all other laws in conflict herewith.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 372. To provide for the distribution among the municipalities in any county having a population as great as 120,000 and not exceeding 200,000, according to the last or any succeeding federal decennial census, of a portion of the State Gasoline Excise Tax paid to such county pursuant to the provisions of Section 5 (b) of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

Also:

S. 377. Relating to Fayette County: To alter and rearrange the boundaries of the City of Winfield so as to reduce the corporate limits and exclude certain territory which lies in Fayette County from the city.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors (with notice and proof):

S. 472. An Act to alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama, in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Young (with notice and proof) (with amendment):

H. 467. Relating to Cleburne County; providing for the election, qualifications, terms and compensation of the members of the county board of education.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Givhan and Adams:

S. 436. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

By Mr. Givhan:

S. 398. To amend further Chapter 7 of Title 2, Code of Alabama of 1940, as amended, relating to the qualifications, annual permit and other requirements for persons engaged in professional services or work pertaining to entomological, pathological, horticultural and floricultural, and tree surgery work including structural pest control work; and to further amend said Chapter by amending Section 677 thereof relating to persons to whom the provisions and requirement of said Chapter are applicable.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Carr, Leonard, Nabors, McCarley, Pierce, Branyon, Torbert, Radney, Jackson, Folsom, Lindsey, Clark, O'Bannon, Engel, Stone, Gilmore, Bailes, Vacca, Giles, McDermott, Albea, Adams and Goodwyn (with substitute):

S. 279. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$43,000,000 for the purpose of acquiring, providing, constructing, developing, managing and equipping state parks and park facilities.

The above Bill was read a second time at length as required by the Constitution.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carr:

S. 373. To amend Title 8, Section 183, Code of Alabama 1940, which pertains to the State Park Fund.

By Mr. Carr:

S. 374. To provide for the operation of all state parks, monuments and historical sites and parks division facilities by employees of the department of conservation, division of state parks, monuments and historical sites under certain conditions.

By Mr. Carr:

S. 461. To provide for the maintenance and construction of roads within state parks and state-owned public fishing lake areas.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Morrow, Childs, Bailes, Hawkins, Gilmore, Dominick and Vacca:

S. 475. To provide for a distribution by every county in the state having a population in excess of 600,000 inhabitants according to the last or any subsequent federal decennial census of tax funds received by such county under the provisions of Section 5 (b) of Act Number 224 of the 1967 Special Session of the Legislature of Alabama, approved May 10, 1967.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 383. To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama.

Also:

S. 58. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. House, Sessions, Money, Jackson (T), Weeks, Holman, Bowers, Meeks, Ellis, Watkins, Gloor and Waggoner:

H. 628. To alter and rearrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of the City of Mountain Brook, Alabama, all territory now within such corporate limits and also certain other territory.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present session of any future special or regular session of the Legislature of the State of Alabama for the introduction and passage of a Bill, the substance of which, as distinguished from the details, is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of the City of Mountain Brook, Alabama, all territory now within such corporate limits and also certain other territory.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this act, the boundary lines of the City of Mountain Brook, Alabama, be and the same are altered and rearranged so as to include within the corporate limits of the said City of Mountain Brook, Alabama, in addition to the territory included within its present corporate limits, certain territory more particularly described as follows:

Tract A: A part of the Southeast quarter of Section 21, Township 18 South, Range 2 West, and of the Southwest quarter of Section 22, Township 18 South, Range 2 West, more particularly described as follows: Begin at the Northeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 21, Township 18 South, Range 2 West, said point being on the corporate boundary of the City of Mountain Brook, Alabama; thence due South along the East boundary of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ approximately 892.16 feet to a point; thence due East approximately 544.44 feet to a point; thence due South approximately 439.15 feet; thence due East approximately 783.96 feet to a point, said point being the Northeast corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 21, Township 18 South, Range 2 West; thence due South along the East boundary of said Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ approximately 873.5 feet; thence due East approximately 25.0 feet to a point; thence due South approximately 460.59 feet to a point, said point being the Southeast corner of Section 21, Township 18 South, Range 2 West; thence due East along the South boundary of Section 22, Township 18 South, Range 2 West, approximately 1083.34 feet to a point on the Westerly right-of-way line of old U. S. Highway 280; thence an angle to the left of $111^{\circ} 38'$ along the Westerly right-of-way line of old U. S. Highway 280 approximately 1871.69 feet to a concrete right-of-way marker; thence an angle to the left of $18^{\circ} 20'$ approximately 158.8 feet to a concrete right-of-way marker; thence an angle to the left of $15^{\circ} 10'$ approximately 748.0 feet to a concrete right-of-way marker; thence an angle to the left of $90^{\circ} 0'$ approximately 45.91 feet to a point on the Southwest right-of-way line of the new U. S. Highway 280; thence an angle to the right of $90^{\circ} 0'$ and Northwesterly along said Southwest right-of-way line approximately 323.64 feet to a point on the South boundary of the Northeast $\frac{1}{4}$, Section 21, Township 18 South, Range 2 West; thence due West along said South boundary 1110.0 feet more or less to the point of beginning.

Tract B: A part of the East $\frac{1}{2}$ of Section 11, Township 18 South, Range 2 West, more particularly described as follows:

Commence at the SW corner of the NW- $\frac{1}{4}$ of the SE- $\frac{1}{4}$ of said section; thence run due North along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for 722.24 feet; thence S $60^{\circ} 39'$ E for 605.00 feet; thence S $80^{\circ} 05'$ E for 270.0 feet more or less to the center line of Overton Road; thence run North-

easterly along the meanderings of said center line of Overton Road for 780 feet more or less; thence N 60 39' W and parallel with the said course which is 605.00 feet long for 1450 feet more or less to a point on the West line of the SW- $\frac{1}{4}$ of the NE- $\frac{1}{4}$ of said Section; thence run due South along the West line of the SW- $\frac{1}{4}$ of the NE- $\frac{1}{4}$ and along the West line of the NW- $\frac{1}{4}$ of the SE- $\frac{1}{4}$ for 910 feet more or less to the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 10, 17, 24; July 1, 1967, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 3rd day of July, 1967.

ANGIE CAMPISI,
Notary Public.

Also:

By Messrs. Adwell, House, Crane, Sessions, Money, Jackson (T), Weeks, Waggoner, Holman, Bowers, Meeks, Ellis, Watkins and Gloor:

H. 630. Altering, re-arranging, and extending the boundaries of the City of Pleasant Grove, Jefferson County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that at the next session of the Legislature of Alabama, whether that session be special or regular session, application will be made to the Legislature for adoption of an Act which will contain the terms set forth in the following bill:

A BILL TO BE ENTITLED AN ACT

Altering, re-arranging, and extending the boundaries of the City of Pleasant Grove, Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Pleasant Grove in Jefferson County are hereby altered, re-arranged, and extended so as to in-

clude within the corporate limits of said City certain additional territory lying within the three parcels of land hereinafter described as "Parcel 1," "Parcel 2," and "Parcel 3" to-wit:

PARCEL 1

Begin at the southwest corner of the South-West quarter of Section 33, Township 17 South, Range 4 West, Jefferson County, Alabama. Said southwest corner of Section 33 being in the present corporate boundary of the City of Pleasant Grove; thence in an Easterly direction along the South boundary of said South-West quarter of Section 33, which is the present corporate boundary of the City of Pleasant Grove 2050 feet, more or less, to intersection with the west side of the right of way line of Woodward Iron Company railroad track; thence in a general northerly direction along the west line of said railroad track right of way line 2825 feet, more or less, to intersection with the north boundary of the South-West quarter of said Section 33; thence in a westerly direction along the said north boundary 1820, feet more or less, to the northwest corner of said South-West quarter of Section 33; thence in a southerly direction along the west boundary of said South-West quarter of Section 33 to the point of beginning.

PARCEL 2

Begin at the northeast corner of the South half of the North-East quarter of Section 6, Township 18 South, Range 4 West, Jefferson County, Alabama. Said northeast corner being in the present corporate boundary of the City of Pleasant Grove; thence in a westerly direction along the north boundary of said South half of North-East quarter of Section 6 to the northeast corner of the South-East quarter of North-West quarter of said Section 6; thence in a westerly direction along the north boundary of said South-East quarter of North-West quarter of said Section 6 to the northwest corner of said South-East quarter of North-West quarter; thence in a southerly direction along the west boundary of said South-East quarter of North-West quarter to the northwest corner of the East half of South-West quarter of said Section 6; thence in a southerly direction along the west boundary of said East half of South-West quarter of Section 6 to the northwest corner of the East half of West half of Section 7 in said Township 18 South, Range 4 West; thence in a southerly direction along the west boundary of said East half of West half of Section 7 to the northwest corner of the East half of North-West quarter of Section 18 in said Township 18 South, Range 4 West; thence in a southerly direction along the west boundary of said East half of North-West quarter of Section 18 to the southwest corner of said East half of North-West quarter; thence in an easterly direction along the south boundary of said East half of North-West quarter of Section 18 to the southwest corner of the North-East quarter of said Section 18; thence in an easterly direction along the south boundary of said North-East quarter of Section 18 to the southwest corner of the North half of Section 17 in said Township 18, Range 4 West; thence in an easterly direction along the south boundary of said North half of Section 17 to the southwest corner of the South-West quarter of North-West quarter of Section 16 in said Township 18 South, Range 4 West; thence in an easterly direction along the south boundary of said South-West quarter of North-West quarter to the southeast corner of South-West of North-West quarter of Section 16 in said Township 18 South, Range 4 West; thence in a northerly direction along the east boundary of said South-West quarter of North-West quarter to the southeast corner of the North-West quarter of North-West quarter of said Section 16, said southwest corner being in the present corporate boundary of the City of Pleasant Grove; thence in a northerly direction along the east boundary of said North-West quarter of North-West quarter which is the present corporate boundary of the City of Pleasant Grove

to the northeast corner of said North-West quarter of North-West quarter of Section 16; thence in a westerly direction along the north boundary of said North-West quarter of North-West quarter of Section 16 which is the present corporate boundary of the City of Pleasant Grove to the northeast corner of said Section 17, Township 18 South, Range 4 West; thence in a westerly direction along the north boundary of said Section 17 which is the present corporate boundary of the City of Pleasant Grove to the southeast corner of the East half of East half of said Section 7; thence in a westerly direction along the south boundary of said East half of East half of Section 7 which is the present corporate boundary of the City of Pleasant Grove to the southwest corner of said East half of East half of Section 7; thence in a northerly direction along the west boundary of said East half of East half of Section 7 which is the present corporate boundary of the City of Pleasant Grove to the southwest corner of the South-East Quarter of South-East quarter of said Section 6; thence in an easterly direction along the south boundary of said South-East quarter of South-East quarter of Section 6 which is the present corporate boundary of the City of Pleasant Grove to the Southeast corner of said Section 6; thence in a northerly direction along the east boundary of said Section 6 which is the present corporate boundary of the City of Pleasant Grove to the point of beginning.

PARCEL 3

Begin at the southwest corner of the East half of East half of Section 9, Township 18 South, Range 4 West, Jefferson County, Alabama. Said southwest corner being in the present corporate boundary of the City of Pleasant Grove; thence in a northerly direction along the west boundary of said East half of East half of Section 9 which is the present corporate boundary of the City of Pleasant Grove 4160 feet, more or less to intersection with the West side of railroad right of way line of Woodward Iron Company; thence in a general southerly direction along the West side of said railroad right of way line 4290 feet, more or less, to intersection with the South boundary of said East half of East half of Section 9; thence in a westerly direction along the said South boundary 96 feet, more or less, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 8, 15, 22, 29, 1967, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 1st day of May, 1967.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Gafford, Kilgore, Holman, Waggoner, House, Crane, Sessions, Money, Jackson (T), Weeks, Bowers, Adwell, Meeks, Cook (Jefferson), Ellis, Watkins and Gloor:

H. 632. To apply only to counties having a population of not less than 600,000 inhabitants according to the most recent federal decennial census; Providing for the appointment of reserve deputies sheriff; defining said reserve deputies sheriff, and providing for the qualification, authority, duties, compensation, bond and term of office of such reserve deputies sheriff, and providing for the use of county equipment, and liability of sheriff for acts of said reserve deputies sheriff.

Also:

By Mr. Smith (C):

H. 638. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing further for the distribution of a portion of the proceeds of the motor vehicle license and registration fees and the proceeds of state gasoline taxes between the county and the municipalities therein.

Also:

By Mr. Brassell:

H. 584. To provide an expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama and repeal conflicting laws.

Also:

By Messrs. Merrill, Hain, Snodgrass, Steagall, Holladay, Melton, Lybrand, Brassell, Manley, Pruitt, Marr and Neville:

H. 492. To provide for the organization, creation, and operation of a state law institute as an official advisory law revision, law reform, and legal research agency of the State of Alabama.

Also:

By Messrs. Bank, Culver, Brown, Weeks and Meade:

H. 310. To prescribe punishment for persons who burn, desecrate, or mutilate their identification and classification card issued by the Selective Service System.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 628, 630 and 632. To the Committee on Local Legislation No. 2.

H. B.'s 638 and 584. To the Committee on Local Legislation No. 1.

H. B.'s 492 and 310. To the Committee on Judiciary.

RECESS

At 3:20 o'clock P. M., on motion of Mr. Nabors, the Senate took a recess until 5 o'clock this afternoon.

NIGHT SESSION

TWENTY-SECOND LEGISLATIVE DAY

TUESDAY, JULY 25, 1967

The Senate re-assembled at five o'clock P. M., President Pro Tempore Goodwyn presiding.

ROLL CALL

Present:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Skidmore
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Morrow	Turner
Cooper	Hawkins	Nabors	Vacca
Dominick			

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 497. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be altered, rearranged, and extended so as to include within the Corporate Limits of said City the following additional territory:

PARCEL "A" Beginning at a point on the existing corporate limit line of the City of Tuscaloosa which point is the intersection of the North margin of Twenty-first (21st) Street and the East line of Section 29, Township 21 South, Range 10 West; thence westwardly along said North margin of Twenty-first (21st) Street a distance of forty and seven hundredths feet (40.07') to a point; thence southwardly parallel

to said East line of Section 29, Township 21 South, Range 10 West, a distance of sixty-five feet (65') to a point on the South margin of said Twenty-first (21st) Street, which point is on the North margin of Oakdale Subdivision No. 1; thence eastwardly along the North margin of said Oakdale Subdivision No. 1 and along the South margin of said Twenty-first (21st) Street a distance of forty and seven hundredths feet (40.07') to a point on the East line of Section 29, Township 21 South, Range 10 West; thence northwardly along said East line of Section 29, Township 21 South, Range 10 West, a distance of fifteen feet (15') to a point on the South margin of Twenty-first (21st) Street; thence eastwardly along the South margin of Twenty-first (21st) Street, a distance of forty feet (40') to a point; thence northwardly parallel to said East line of Section 29, Township 21 South, Range 10 West a distance of fifty feet (50') to a point on the North margin of Twenty-first (21st) Street which point is also on the South line of the existing corporate limit line of the City of Tuscaloosa; thence Westwardly along the existing corporate limit line of the City of Tuscaloosa and along the North margin of Twenty-first (21st) Street, a distance of forty feet (40') to the point of beginning, which property lies in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 29, Township 21 South, Range 10 West and the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 28, Township 21 South, Range 10 West, containing one tenth (0.1) acre, more or less.

PARCEL "B": The Oakdale Subdivision No. 1 as recorded in Plat Book Nine (9) at page 142, in the Office of the Judge of Probate of Tuscaloosa County, Alabama, containing ten and nine tenths (10.9) acres, more or less.

PARCEL "C": The Oakdale Subdivision No. 2 as recorded in Plat Book Ten (10) at page 16, in the Office of the Judge of Probate of Tuscaloosa County, Alabama, containing seven and six tenths (7.6) acres, more or less.

PARCEL "D", (Property owned by the City Board of Education and a portion of Twenty-fifth (25th) Street (Lee Road):

Beginning at the Southeast corner of Lot Seventeen (17) of Oakdale No. 1 as recorded in Plat Book Nine (9) at page 142; thence westwardly along the South margin of said Lot Seventeen (17) and the westward extension thereof a distance of two hundred forty-one and eight tenths feet (241.8') to a point on the Southeast margin of U. S. Highway No. 11 (Eutaw Highway); thence southwestwardly along the Southeast margin of the Eutaw Highway a distance of seventy-two and fifty-four hundredths feet (72.54') to a point on the South margin of Twenty-fifth (25th) Street (Lee Road); thence westwardly along the South margin of Twenty-fifth (25th) Street a distance of six and four hundredths feet (6.04') to a point on the Southeast margin of said U. S. Highway No. 11; thence southwestwardly along the Southeast margin of said U. S. Highway No. 11 a distance of three hundred eighty-one and eight hundredths feet (381.08') to a point which point is the Southwest corner of the Oakdale Elementary School Property (City Board of Education Property), which point is on the westward extension of a line which runs parallel to the North boundary of the Greenview Subdivision as recorded in Plat Book Six (6) at pages 53 and 54; thence eastwardly along the South boundary of the Oakdale Elementary School Property (City Board of Education Property) and along the North edge of a ten foot (10') drainage easement parallel to the North line of said Greenview Subdivision boundary a distance of one thousand two hundred five and twenty-one hundredths feet (1,205.21') to a point, which point is the Southeast corner of the said City Board of Education Property; thence northwardly with an interior angle of 90 degrees 48' along the East line of said City Board of Education Property and the northward extension

thereof a distance of three hundred seventy-nine and thirty-two hundredths feet (379.32') to a point on the North margin of Lee Road (25th Street); thence westwardly along the North margin of said Lee Road a distance of seven hundred eight and eighty-four hundredths feet (708.84') to the point of beginning, which property lies in the Southeast Quarter of Section 29, Township 21 South, Range 10 West, containing nine and four tenths (9.4) acres, more or less.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks; viz June 22, June 29, July 6, and July 13, 1967.

LULLENE DUBOSE,
Legal Clerk.

Subscribed and sworn to before me on this the 13 day of July, 1967.

MRS. BETTY PEARY,
Notary Public.

By Mr. Oden:

S. 498. To provide for the protection of peace officers engaged in the performance of a lawful duty.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 194. To amend Section 188, Section 204 and Section 207, Title 26, Code of Alabama 1940, as last amended, all relating to unemployment compensation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 194, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 194

Amend Section 2 of Senate Bill 194 as follows:

Strike subsection D of Section 204 beginning with the last line on page 5 and substitute the following:

"D. The benefit wage percentage of each employer who qualifies for a rate determination under subsection A (1) of this section and has been chargeable with benefit wages throughout the three most recent preceding calendar years shall be a percentage obtained by dividing the total of his benefit wages for such period by that part of his total taxable payroll for the same period with respect to which contributions

have been paid on or before January 31 next following such period, and the benefit wage percentage of each employer who qualifies for a rate determination under subsection A (1) of this section but who has not been subject to this chapter for a period of time sufficient to have been chargeable with benefit wages throughout the three most recent preceding calendar years shall be a percentage obtained by dividing the total of his benefit wages for the period throughout which he has been chargeable, such period to be not less than the most recent preceding calendar year, by that part of his total taxable payroll for the same period with respect to which contributions have been paid on or before January 31 next following such period.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Folsom	Jackson	Pierce	
Bailes	Giles	Leonard	Skidmore	
Branyon	Gilmore	Lindsey	Stone	
Childs	Givhan	McDermott	Torbert	
Clark	Goodwyn	Morrow	Vacca	
Cooper	Harris	Nabors		—26

Nay: Mr. Lolley —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill and returns same herewith to the Senate:

S. 198. To amend Section 235, Title 26, Code of Alabama 1940, as last amended.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 198, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 198

Amend Section 1 of Senate Bill 198 as follows:

Strike the words "or court having jurisdiction of non-support cases," in the first paragraph of subsection B of Section 235.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Pelham	
Albea	Giles	Leonard	Pierce	
Bailes	Gilmore	Lindsey	Skidmore	
Branyon	Givhan	Lolley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	Nabors	Vacca	
Engel				—28

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 195. To amend Code of Alabama 1940, Title 26, Section 279, 283, 289, 293 and 300, which relate to the Workmen's Compensation Law.

Also:

S. 196. To amend Section 240, Title 26, Code of Alabama 1940, as last amended.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens (W):

H. 552. To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes, to modify and change the purposes for which the proceeds of such taxes may be used, and to repeal Section 11 of said act which provides for the termination of the levy of such taxes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes, to modify and change the purposes for which the proceeds of such taxes may be used, and to repeal Section 11 of said act which provides for the termination of the levy of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 17, H. 21, Regular Session 1957, an act levying sales and use taxes in Bibb County, Alabama (Acts 1957, v. 1, p. 43), as amended, is amended further so as to read as follows:

S. 1. Meaning of Terms Used in This Act. The following words, terms and phrases where used in this act shall have the following respective meanings, except where the context clearly indicates a different

meaning: "This State" means the State of Alabama; "Bibb County" means Bibb County in this State; "State Sales Tax Statutes" means Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama as amended; "State Sales Tax" means the tax imposed by the State Sales Tax Statutes; "State Use Tax Statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940 as the said Article 11 had been last amended before the effective date of this act, and as it existed on said date; "State Use Tax" means the tax imposed by the State Use Tax Statutes; "registered seller" means the person registered with the State Department of Revenue pursuant to Section 790 of Title 51 of said Code, as heretofore amended; "month" means a calendar month; "quarterly period" means the period of three months ending on the last day of each March, June, September, or December; "fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year. In addition to the foregoing definitions, all words, terms and phrases that are defined in the State Sales Tax Statutes or in the State Use Tax Statutes shall, where used in this act have the meanings respectively ascribed to them in the State Sales Tax Statutes or in the State Use Tax Statutes, as the case may be, except where the context herein clearly indicates a different meaning.

Section 2. Section 2 of said Act No. 17 of 1957, as amended, is amended further so as to read as follows:

S. 2. Levy of License Tax Measured by Gross Sales or Gross Receipts. There is hereby levied in Bibb County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation (including The Board of Trustees of the University of Alabama, The Alabama Polytechnic Institute, and all other institutions of higher learning in the State, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of any such institution) engaged or continuing, within Bibb County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business;

(b) Upon every person, firm or corporation engaged or continuing, within Bibb County, in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses,

or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Bibb County, an amount equal to one per cent (1%) of the gross receipts of any such business;

(c) Upon every person, firm or corporation engaged or continuing within Bibb County in the business of selling at retail machines used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily used in the operation thereof, an amount equal to one-half of one per cent ($\frac{1}{2}$ of 1%) of the gross proceeds of the sale of such machines, parts, attachments and replacements; and

(d) Upon every person, firm or corporation engaged or continuing, within Bibb County, in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-third of one per cent ($\frac{1}{3}$ of 1%) of the gross proceeds of the sale of said automotive vehicle, or truck trailer and semi-trailer; provided, that where any used automotive vehicle, used truck trailer, or used semi-trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax herein levied shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;

provided, that there are exempted from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the State Sales Tax statutes from computation of the amount of the State Sales Tax.

Section 3. Section 3 of said Act No. 17 of 1957, as amended, is further amended so as to read as follows:

S. 3. Levy of Excise Tax on Use, Storage and Consumption of Tangible Personality. An excise tax is hereby imposed on

(a) The storage, use or other consumption in Bibb County of tangible personal property purchased at retail, on or after the first day of January, 1968, for storage, use or other consumption in Bibb County, at the rate of one per cent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Bibb County or in this State, except as provided in subsections (b) and (c) of this section;

(b) The storage, use or other consumption in Bibb County of any machine used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of January, 1968, for storage, use or other consumption in Bibb County, at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of such machine, parts, attachments, or replacements; and

(c) The storage, use or other consumption in Bibb County of any automotive vehicle, truck trailer or semi-trailer purchased at retail on or after the first day of January, 1968, for storage, use or other consumption in Bibb County, at the rate of one-third of one per cent ($\frac{1}{3}$ of 1%) of the sales price of such automotive vehicle, truck trailer, or semi-trailer; provided, that where any used automotive vehicle or

used truck trailer or used semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;

provided, however, that there are exempted from the provisions of this section and the tax imposed in this section the storage, use or other consumption of property the storage, use or other consumption of which are presently exempted under the State Use Tax statutes from the State Use Tax. Subject to the exemptions provided for in the preceding sentence, every person storing, using or otherwise consuming in Bibb County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the said tax has been paid by such person as herein provided; provided, however, that a receipt from the registered seller given, pursuant to Section 5 of this act, to the purchaser of any property to be used, stored or consumed in Bibb County shall be sufficient to relieve the purchaser from further liability for a tax such receipt may refer.

Section 4. Section 10 of said Act No. 17 of 1957 is hereby amended so as to read as follows:

S. 10. Disposition of Revenues from Taxes herein levied. The State Department of Revenue shall make an annual charge to Bibb County for collection of taxes herein levied, such charge for each fiscal year to be an amount bearing the same relation, and standing in the same ratio, to the total amount of the taxes collected hereunder that the total cost during the same fiscal year of collecting the State Sales Tax and the State Use Tax bears to the total amount of the State Sales Tax and the State Use Tax collected during that fiscal year; and the said annual charge for each fiscal year shall be retained by the State Department of Revenue out of the taxes collected hereunder during September of the same fiscal year. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this act, as such taxes are received by the Commissioner; and on or before the first day of each successive month (commencing with the month following the month in which the Commissioner makes the first collections hereunder), the Commissioner shall certify to the State Comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Bibb County during the month immediately preceding the making of such certificate; provided, however, that before certifying the amount of taxes paid into the state treasury for the benefit of Bibb County during each September, the Commissioner shall deduct from the taxes collected in said month the aforesaid annual charge of the department for that fiscal year. It shall be the duty of the Comptroller each month to issue his warrants on the State Treasurer, in the amount so certified by the Commissioner of Revenue as having been collected under this act and paid during the then preceding month into the state treasury, and payable as follows: Forty per cent (40%) of the amount so certified by the Commissioner of Revenue as having been collected under this act and paid into the state treasury during the then preceding month shall be paid, and is hereby appropriated, to the Bibb County hospital board, a public corporation organized in Bibb County under Act No. 46 adopted at the 1949 Regular Session of the Legislature, and the remaining sixty per cent (60%) of the amount so certified by the Commissioner is hereby appropriated for the school purposes hereinafter specified and shall be paid to the custodian of the public school funds of Bibb County. Three-fourths of the forty per cent of the revenues from the taxes herein levied which is required by this section to be paid to Bibb County hospital board shall be used for constructing, equipping, maintaining, operating, and expansion of the Bibb County Hospital and Nursing Home; and the remaining one-fourth of said forty per cent

shall be used for county health clinics. The sixty per cent of the said revenues required to be paid to the custodian of county school funds of Bibb County shall be used for constructing, equipping, maintaining, operating and repairing the public schools of Bibb County and for the purchase and maintenance of school buses.

Section 5. Section 11 of said Act No. 17 of 1957 is hereby repealed.

Section 6. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall take effect December 31, 1967.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1967.

J. W. OAKLEY.

Sworn to and subscribed before me July 13, 1967.

MARVIN HUETT,
Notary Public.

Also:

By Mr. Owens (W):

H. 553. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the town of Centreville, Bibb County, are hereby altered, rearranged, and extended so as to include within the corporate limits of the town all that territory embraced by the boundaries described herein, to-wit:

Begin at the southwest corner of Section 13, Township 23 North, Range 9 East; thence east along the south boundary of Section 13 for a distance of 305 feet; thence north $45^{\circ} 19'$ east along the present city limits line to the intersection of east boundary of the southwest quarter of northeast quarter, Section 13, Township 23 North, Range 9 East; thence north along said quarter section line to the northeast corner of the northwest quarter of northeast quarter, Section 13, Township 23 North, Range 9 East; thence west along the north boundary of said quarter section to the southeast corner of the southwest quarter of Section 12, Township 23 North, Range 9 East; thence north along the east boundary of the southeast quarter of southwest quarter, Section 12, to the northeast corner of said quarter section; thence west along the north boundary of the southeast quarter of southwest quarter and the southwest quarter of southeast quarter to the intersection of the Cahaba River; thence southerly along the Cahaba River to the intersection of the south boundary of Section 14, Township 23 North, Range 9 East; thence east along the south boundary of Section 14 to the southeast corner of Section 14 or the southwest corner of Section 13, the point of beginning.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, Marvin Huett a Notary Public, in and for said State and County aforesaid, personally appeared J. W. Oakley, Sr., Publisher of The Centreville Press, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in The Centreville Press for 4 successive weeks, as follows: June 22, June 29, July 6, July 13, 1967. That The Centreville Press is a weekly newspaper of general circulation in Bibb County, Alabama; That it is entered in the Postoffice at Centreville, Alabama, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

J. W. OAKLEY, SR.,
Publisher.

Sworn to and subscribed before me, this 13th day of July, 1967.

MARVIN HUETT,
Notary Public.

Also:

By Mr. Owens (W):

H. 554. To amend Act No. 145, H. 181 of the Special Session of 1967, an act providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Also:

By Mr. Steagall:

H. 561. Regulating the compensation of election officers in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Also:

By Mr. Steagall:

H. 562. To fix the compensation of the deputy sheriffs in counties having populations of not less than 31,000 nor more than 32,000.

Also:

By Mr. Collier:

H. 565. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Elmore County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made:

A BILL TO BE ENTITLED AN ACT

To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Elmore County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In each civil or quasi-civil action at law, suit in equity, criminal case, quasi-criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the circuit court, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the circuit court of Elmore County, there shall be taxed as a part of the costs the sum of One Dollar (\$1.00). In each criminal case hereafter filed in any statutory inferior court in Elmore County, there shall be taxed as a part of the costs the sum of Fifty Cents (.50c). In each civil case hereafter filed in any statutory inferior court in Elmore County, there shall be taxed as a part of the costs the sum of Fifty Cents (.50c). The fees taxed under this Act shall be collected as other costs in such cases are collected, and when collected by the clerks or other collecting officers of such courts (including the register of the circuit court) shall be by them paid over to the treasurer or depository of Elmore County for deposit in the county treasury. The sums so paid over to the county treasurer or depository shall be maintained in a separate fund in the county treasury, designated as the Elmore County Law Library Fund, and shall be expended by any Judge of the Circuit Court of Elmore County for establishing, maintaining, equipping and operating a law library in the courthouse at Wetumpka. Any Judge of the Circuit Court shall draw warrants on the county treasury in making expenditures for the purposes contemplated in this Act, and shall indicate on the warrants the fund against which the warrants are drawn. The said items of cost above referred to shall be designated as law library fee, and when any part of the costs in a case has been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other item of costs. On or before the tenth day of each month, the clerks or other collecting officers of the respective courts (including the register of the circuit court) shall pay over to the county treasurer or depository all

amounts collected as law library fees previously to the first day of the month. The management of the law library is vested in the Judges of the Circuit Court of Elmore County. All books or other property purchased with the funds produced by this Act shall be the property of Elmore County.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of courts in Elmore County, and the method of disbursement thereof.

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who is known to me, and who being by me first duly sworn, deposes and says that during the time herein mentioned he was Editor and Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1967.

JOHN P. HARRIS,
Affiant.

Sworn to and subscribed before me on this 10 day of July, 1967.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Owens (W):

H. 571. To apply only in counties having populations of not less than 19,500 nor more than 20,000, fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees.

Also:

By Mr. Young:

H. 593. Proposing an amendment to the Constitution of Alabama relative to the method of compensating the sheriff and circuit clerk of Randolph County.

Also:

By Messrs. Meade and Beck:

H. 611. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 38,000 nor more than 45,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Mr. Harper:

H. 612. To provide for a division of the Court of Common Pleas of Tallapoosa County composed of Beats 10, 12, and 13 of said county, and for holding sessions of the court at Carrville.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for a division of the Court of Common Pleas of Tallapoosa County composed of Beats 10, 12, and 13 of said county, and for holding sessions of the court at Carrville.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be established a division of the Court of Common Pleas of Tallapoosa County composed of Beats ten, twelve and thirteen of said county as presently constituted. All causes of action and cases arising within the boundaries of said division and within the jurisdiction of said court shall be tried at sessions of the court to be held at the city hall in Carrville, Tallapoosa County, or at such other place in Carrville as the city or town authorities may provide. A session of the Court of Common Pleas of Tallapoosa County shall be held at Carrville on at least one day in every month, and on as many other days as the judge of the court may direct.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall be inoperative and void unless it is approved by a majority vote of the qualified electors of Tallapoosa County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections held on the issuance of county bonds, and shall be held on the same day as the next general election of state and county officers next following final passage of this Act, or on the same day as the next constitutional amendment election held next following passage of this Act, whichever occurs first. Notice of the election shall be given by the judge of probate of Tallapoosa County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows: "Do you favor the local law providing for holding sessions of the Court of Common Pleas of Tallapoosa County at Carrville?" If a majority of the votes cast at the election are affirmative votes, this Act shall be in full force and effect thereafter. However, if a majority of the votes cast at such election are in the negative, the Act shall have no further effect. The judge of probate of Tallapoosa County shall certify the results of the election to the secretary of state of Alabama within thirty days after the returns of the election have been certified.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. Clay Pless, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 18, May 25, June 1, and June 8, all in the year 1967.

H. CLAY PLESS.

Sworn to and subscribed before me June 22, 1967.

GORDON McCOLLUM,
Notary Public.

Also:

By Messrs. Foshee and Jackson (F):

H. 615. To amend Act No. 437, H. 886, approved November 13, 1959, an act creating a jury commission for Covington County (Acts 1959, v. 2, p. 1125).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 437, H. 886, approved November 13, 1959, an act creating a jury commission for Covington County (Acts 1959, v. 2, p. 1125).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 437, H. 886, approved November 13, 1959, an act creating a jury commission for Covington County (Acts 1959, v. 2, p. 1125) is hereby amended to read as follows:

"Section 1. The jury board of Covington County created by Act No. 37, H. 132, approved May 23, 1951 (Acts of Alabama, 1951, p. 244), is hereby abolished; and there is established in lieu thereof a commission to be composed of nine members appointed by the Governor for terms to run concurrently with his own term of office. Two members of the commission shall be appointed for each of the commissioners' districts of the county and one member shall be appointed for the county at large. The members that are appointed for the several districts must be residents and qualified electors of the districts for which they are appointed. The other member shall be a resident and qualified elector of the county, and such member shall also serve as chairman of the commission."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucile K. Woodham McRae, who,

being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the The Florala News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, May 4, May 11, and May 18, all in the year 1967.

LUCILE K. WOODHAM McRAE.

Sworn to and subscribed before me June 30, 1967.

EDITH GRACE,
Notary Public.

My comm. expires: 10-31-68.

Also:

By Mr. Collier:

H. 616. Proposing an amendment to the Constitution relating to costs and charges of courts in Elmore County.

Also:

By Messrs. Shumate and Dobbs:

H. 654. Proposing an amendment to the Constitution of Alabama relative to the economic development of the town of Carbon Hill in Walker County.

Also:

By Mr. Dobbs:

H. 655. Relating to Walker County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Each person, firm, or corporation operating an electric or hydro-electric public utility in Walker County shall pay a county privilege license tax in an amount equal to five per cent of the gross receipts of such business in said county. The tax herein levied shall be in addition to all other taxes and licenses heretofore levied or imposed

by law, and shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues.

Section 2. The books of every person, firm, or corporation operating an electric or hydro-electric public utility in Walker County shall be open to inspection by the duly authorized agents of Walker County selected or appointed for the purpose of aiding in the collection and enforcement of the tax imposed by this Act. The governing body of Walker County is hereby authorized and empowered to make such reasonable rules and regulations as may be necessary to enforce and collect the tax hereby imposed, and shall have full authority to employ such legal counsel, agents, and assistants as it deems necessary from time to time to enforce the collection of such tax or to effectuate the purposes of this Act. Such counsel, agents, and assistants as may be employed shall be paid from the proceeds of the tax collected hereunder or from any other funds available to the county governing body.

Section 3. Any person, firm or corporation that fails to pay the tax herein levied within the time required by this Act shall pay, in addition to the tax, a penalty of ten percent of the amount of the tax due, together with interest thereon at the rate of one-half of one percent per month, or fraction thereof, from the date on which the tax herein levied became due and payable such penalty and interest to be assessed and collected as a part of the tax. Provided, the governing body of Walker County may waive or remit the penalty or any portion thereof if a good and sufficient reason therefor is shown.

Section 4. The tax herein levied, together with interest and penalties imposed, shall be a lien upon the property of any person, firm, or corporation due to pay said taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes levied herein, and the State Department of Revenue when authorized by the governing body of Walker County, shall have the power and authority to collect and enforce said taxes.

Section 5. All revenue arising from the tax levied by this Act shall be used exclusively for the support and maintenance of public hospitals within the county and for the care and treatment of the indigent sick. Such fund shall be apportioned by the county governing body among the several public hospitals within the county pro rata on the basis of the average number of indigent patients cared for in each hospital, as determined by the county governing body.

Section 6. Distributors and sellers of electricity whose business activities are not subject to regulation by the Alabama Public Service Commission shall be exempt from payment of the tax levied by this act.

Section 7. All laws or parts of laws in conflict with the provisions of this Act, whether general, local, or special, be and the same are hereby repealed to the extent of the conflict.

Section 8. This Act shall become effective upon the first day of the month following its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jacqueline Gober, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1967.

JACQUELINE GOBER.

Sworn to and subscribed before me July 17, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Dobbs and Shumate:

H. 656. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Also:

By Messrs. Dobbs and Shumate:

H. 657. To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not less than 52,000 nor more than 56,000 according to the most recent federal decennial census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 552, 553, 554, 561, 562, 565, 571, 593, 611, 612, 615, 616, 654, 655, 656 and 657. To the Committee on Local Legislation No. 1

(The above numbered Bills, H. B.'s 593, 616 and 654 were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bank, Culver, Brown and Weeks:

H. 311. To amend Code of Alabama 1940, Title 14, Section 190 in relation to penalties for mutilating, defacing or abusing the flag of the United States, the State flag, or the Confederate flag.

Also:

By Mr. Turnham:

H. 62. To make an appropriation for capital outlay for the Alabama Pesticide Residue Laboratory of the Department of Agriculture and Industries.

Also:

By Mr. Turnham:

H. 383. To amend Section 3 of Act No. 132, H. 105, Legislature of 1965, Second Special Session, approved October 1, 1965 (Acts of 1965 2nd and 3rd Special Sessions, p. 185) by providing that a portion of funds appropriated thereunder for expenditures during the fiscal year ending September 30, 1967 may be used and expended for capital outlay purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 311. To the Committee on Judiciary

H. B.'s 62 and 383. To the Committee on Finance and Taxation

RESOLUTION

Messrs. Childs, Morrow, Hawkins, Bailes, Vacca and Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 60. Whereas Stokely Carmichael, the violent and inflammatory leader of the black power movement and former head of the Student Nonviolent Coordinating Committee, has traveled freely throughout this country advocating and initiating riots, rebellions and the overthrow of law and order; and

Whereas this hate monger's visits to various cities of the Nation have led in every instance to riots and violence accompanied in many instances by burning, looting and bloodshed. In resigning from SNCC, Carmichael announced that he would spend the summer organizing "black resistance" to the war in Vietnam. On May 16, he told a screaming crowd of Negroes in Washington, "There is no need to go to Vietnam and shoot somebody who a honky says is your enemy. We're going to shoot the cops who are shooting our black brothers in the back in this country. That's where we are going." In this same speech, recorded by radio and telecast throughout the country, he called President Johnson a "buffoon" and a "honky" and said "The honky is lyin' about Vietnam," and

Whereas Carmichael has purposefully and systematically set out to undermine the respect of his listeners for the established heroes of this country. He calls Christopher Columbus "a dumb honky"; George Washington "a dumb honky who had slaves"; and Abraham Lincoln "another dumb honky." He urges Negroes to riot and admittedly terms these riots as "rebellions." He tells his followers that the black man does not need to apologize for these rebellions and, "if a honky tried to shoot you, kill him before God gets the news." Carmichael's influence with his people is not to be underestimated when he sets a mob chanting endlessly against the Vietnam War with, "Hell, no. We wont go."; and

Whereas Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation in a recent report to a congressional committee on some of Carmichael's activities stated that Carmichael in espousing his black power movement had been in frequent contact with Max Stanford, field chairman of the Revolutionary Action Movement (RAM), a highly secret

all-negro, Marxist-Leninist, Chinese-Communist-oriented organization which advocates guerrilla warfare to obtain its goals, and that this organization has aided and guided Stanford in forming a Black Panther Party in New York City as well as in other areas of the United States; and

Whereas it has been learned that Carmichael, who is not a native of this country and whose strange influence is creeping out in unexplained areas, is now out of this country and has gone to Czechoslovakia. He has stated his intention of going to Hanoi and North Vietnam and it was today reported by radio that he will attend a "Revolution School" in Cuba next week; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That the blasphemous and profane, communist revolutionary, Stokely Carmichael, be denied readmittance to this country as an undesirable alien or on any other available grounds that will prevent his return to vilify and overthrow the United States of America.

RESOLVED FURTHER That a copy of this resolution be sent to the President of the United States, to the Congress, to the United States Supreme Court and to the office of Immigration with the respectful but urgent request that concerted action be taken to deny Stokely Carmichael reentrance to this country.

On motion of Mr. Childs, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 307. To revise and amend Act No. 65 of the Second Special Session of the Legislature, 1965, approved September 30, 1965.

Mr. Cooper offered the following Motion in Writing:

"MOTION IN WRITING"

"I move that further consideration of S. B. 307 be postponed until the next legislative day."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Hawkins	Nabors	Vacca
Cooper			

—28

Nays:

—0

The Bill:

S. 10. To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority.

was taken up.

Mr. Albea offered the following substitute for the Bill, S. B. 10, to-wit:

SUBSTITUTE FOR S. B. 10**A BILL
TO BE ENTITLED
AN ACT**

To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority; to provide for the payment of its expenses; and to make an appropriation from the state treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established the Alabama Constitution Revision Commission, hereinafter referred to as the Commission, the purpose of which shall be to study the Constitution of Alabama, 1901, and amendments thereto and to make recommendations for revising the Constitution by means of Constitutional Amendments. In the event a Constitutional Convention is called during the term of this Commission, it shall act as a preparatory agency for the convention prior to its convening by preparing a draft or drafts of a new Constitution and if it deems advisable, alternate section or sections thereof and after the convening of the convention it shall act in an advisory and research capacity to such convention as directed by the convention. The Commission may make recommendations to the Legislature during any regular or special session and shall make a final report to the Legislature on or before the first Tuesday of May, 1969.

Section 2. The Commission shall be composed of twenty-five members as follows: The President of the Senate; the Speaker of the House of Representatives; three Senators appointed by the President of the Senate; three Representatives appointed by the Speaker of the House of Representatives; one member from each Congressional District appointed by the Governor; one member appointed by the Chief Justice of the Supreme Court of Alabama; one member appointed by the Alabama Circuit Judges Association; one member appointed by the Alabama Bar Commission; one member appointed by the Executive Committee of the Alabama County Commissioners Association; one member appointed by the Executive Committee of the Alabama League of Municipalities; one faculty member of the University of Alabama appointed by its President; one faculty member of Auburn University appointed by its President; one faculty member of the University of South Alabama appointed by its President and one faculty member of Jacksonville State University appointed by its President. Members shall receive the sum of thirty dollars per day while attending meetings of the Commission or its committees.

Section 3. Members of the Commission shall be appointed as herein provided within thirty days after the effective date of this Act and shall

serve for the remainder of the term of the present Governor. The President of the Senate shall call the first meeting of the Commission in the City of Montgomery not less than forty-five days nor more than sixty days after the effective date of this Act. The Commission shall, by a majority vote, elect a chairman and a vice-chairman at its first meeting.

The Commission shall thereafter meet at such times and places as its chairman shall determine. The chairman of the Commission shall appoint such committees as he deems necessary from among the Commission members for the study and consideration of various constitutional subjects. The Commission or any of its committees may conduct public hearings at such times and places as the chairman of the Commission deems necessary in order to expedite proceedings of the Commission. A majority of the Commission shall constitute a quorum for the transaction of the business of the Commission and a majority of a committee shall constitute a quorum for transaction of the business of the committee. The Commission shall, at its first meeting, adopt rules for the operation of the Commission and its committees.

Section 4. The director of the Legislative Reference Service shall serve as the executive secretary of the Commission and the Commission shall have available the facilities and the service of the other personnel of the Legislative Reference Service. The Commission shall have the authority to employ such other professional, technical and clerical assistance as it deems necessary in accordance with its appropriation and shall also purchase the necessary printing, postage and other supplies.

Section 5. The sum of fifty thousand dollars is hereby appropriated from any funds in the state treasury not otherwise appropriated to be used by the Commission for the purposes of this Act. Such appropriation shall not lapse at the end of the state's fiscal year, and any unexpended balance shall remain in effect until the end of the fiscal year 1969.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Gilmore	Morrow	Skidmore	
Albea	Goodwyn	Nabors	Stone	
Bailes	Harris	Pelham	Torbert	
Carr	Leonard	Pierce	Vacca	
Dominick	McDermott			—17

Nays:

Messrs.:	Cooper	Hawkins	McCarley	
Branyon	Engel	Jackson	Oden	
Childs	Giles	Lindsey	Turner	
Clark	Givhan	Lolley		—14

Messrs. Turner and Cooper raised the following Point of Order: Since the substitute by Mr. Albea carries an appropriation of \$50,000, should it not be referred under Rule 66 to the Standing Committee on Finance and Taxation?

The Chair stated that the point was well taken and ordered the Bill, S. B. 10, as amended by the substitute, re-referred to the Standing Committee on Finance and Taxation.

FURTHER CONSIDERATION OF S. B. 15

The Senate proceeded to further consideration of the Bill:

S. 15. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts in the several counties.

The question was on the amendment offered by Mr. Albea, which said amendment is set out at length in the Journal of the Senate for the Seventeenth Legislative Day. On motion of Mr. Clark, said amendment was laid on the table.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Skidmore	
Carr	Goodwyn	McCarley	Stone	
Dominick	Harris	Morrow	Torbert	
Engel	Hawkins	Nabors		—22

Nay: Mr. Cooper —1

Mr. Albea then offered the following amendment to the Bill, S. B. 15, to-wit:

AMENDMENT TO S. B. 15

Amend S. B. 15 as follows:

Delete Section 1 and insert a new Section 1 as follows:

Section 1. The following amendment to the Constitution of Alabama is proposed. It shall become valid as a part of the Constitution when approved and proclaimed as prescribed by law.

PROPOSED AMENDMENT

The legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts and the method and purpose of disbursement thereof in the counties of Calhoun, Cherokee, DeKalb, Etowah, Jackson, Lee, Mobile, Talladega, Tuscaloosa.

Which was adopted.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Skidmore	
Carr	Goodwyn	McCarley	Stone	
Dominick	Harris	Morrow	Torbert	
Engel	Hawkins	Nabors		—22

Nay: Mr. Cooper —1

And said Bill, S. B. 15, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 7.

Yeas:

Messrs.:	Engel	Leonard	Nabors
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Pierce
Carr	Gilmore	McCarley	Stone
Childs	Harris	McDermott	Torbert
Dominick	Hawkins	Morrow	Vacca

—23

Nays:

Messrs.:	Clark	Givhan	Oden
Branyon	Cooper	Goodwyn	Skidmore

—7

MOTION IN WRITING

Mr. Morrow offered the following Motion in Writing:

“Motion in Writing”

“Resolved, Mr. President, that Senate Bills 444, 445, 446, and 447 be recommitted to the Standing Committee on Finance and Taxation.”

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 13. Proposing an amendment to the Constitution of Alabama relative to the enactment of laws regulating costs and charges of courts, the compensation of county officers, and the consolidation of county offices.

was taken up.

Mr. Albea offered the following amendment to the Bill, S. B. 13, to-wit:

AMENDMENT TO S. B. 13

Amend S. B. 13 as follows:

Delete Section 1 and insert a new Section 1 as follows:

Section 1. The following amendment to the Constitution of Alabama is proposed. It shall become valid as a part of the Constitution when approved and prescribed by law.

PROPOSED AMENDMENT

The legislature may hereafter, from time to time, by general or local laws, fix, regulate and alter the fees, commissions, allowances and salaries, including the method or basis of their compensation, to be charged or received by the tax assessors, tax collectors, probate judges, circuit clerks, sheriffs, and registers of the chancery courts, and including the right to place any one or all of said officers on a salary and provide for the fees charged and collected by said officers to be paid into the treasury from which their salaries are paid, and provide the method and basis of their compensation, or consolidate any of said offices in the

counties of Calhoun, Cherokee, Colbert, Cullman, DeKalb, Etowah, Jackson, Lauderdale, Limestone, Mobile, Morgan, Talladega, Tuscaloosa and Walker, provided, however, that such law or laws shall not abridge the term of any such elected officer by the abolition or consolidation of his office or otherwise.

Which was adopted.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Giles	Lolley	Pelham	
Albea	Gilmore	McCarley	Pierce	
Bailes	Goodwyn	McDermott	Skidmore	
Carr	Harris	Morrow	Stone	
Childs	Hawkins	Nabors	Torbert	
Dominick	Jackson	Oden	Vacca	
Engel	Leonard			—25

Nays: Messrs.: Cooper, Givhan —2

And said Bill, S. B. 13, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 5.

Yeas:

Messrs.:	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Childs	Harris	Morrow	Torbert	
Clark	Hawkins	Nabors	Vacca	
Engel	Leonard	Pelham		—22

Nays:

Messrs.:	Dominick	Goodwyn	Oden	
Cooper	Givhan			—5

ADJOURNMENT

At 6:19 P. M., Mr. Cooper moved that the Senate adjourn until Wednesday, July 26, 1967 at 3 o'clock P. M.

Mr. Morrow moved as a substitute motion that the Senate adjourn until Thursday, July 27, 1967, at 12 o'clock Noon, which motion was lost.

Yeas 10; Nays 22.

Yeas:

Messrs.:	Childs	Hawkins	Pierce	
Albea	Dominick	Morrow	Vacca	
Bailes	Harris	Nabors		—10

Nays:

Messrs.:	Folsom	Leonard	Pelham	
Branyon	Giles	Lindsey	Skidmore	
Carr	Gilmore	Lolley	Stone	
Clark	Givhan	McCarley	Torbert	
Cooper	Goodwyn	McDermott	Turner	
Engel	Jackson	Oden		—22

The question then recurred on the original motion of Mr. Cooper, and at 6:25 P. M., the Senate adjourned until Wednesday, July 26, 1967, at 3 o'clock P. M.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Giles	Lindsey	Skidmore	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McCarley	Torbert	
Clark	Goodwyn	McDermott	Turner	
Cooper	Jackson	Oden		—22

Nays:

Messrs.:	Dominick	Hawkins	Pierce	
Bailes	Folsom	Morrow	Vacca	
Childs	Harris	Nabors		—10

TWENTY-THIRD LEGISLATIVE DAY

WEDNESDAY, JULY 26, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Henry E. Hulgán, Pastor, Highland Gardens Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Giles	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	Oden		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Twenty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Second Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. O'Bannon for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. House:

H. J. R. 60. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING That when we adjourn today we adjourn to meet again on Tuesday, July 25 at 2:00 p. m.; and that when we adjourn on July 25, we adjourn to meet on Thursday, July 27 at 12:00 noon.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 60, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 214. To make further provisions respecting the board of revenue of Barbour County; to reduce the size of such board and redivide Barbour County into board of revenue districts and prescribe the representation of each district on such board; to provide for a president of such board; to provide for the election, term of office and compensation of members of the board; to provide for filling vacancies on the board; to repeal Act No. 221, S. 165 of the Regular Session of 1919 and Act No. 10, S. 60 of the Regular Session of 1965, which amends said Act No. 221 of 1919 and all other laws in conflict herewith.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 2. Commending Mayor Leslie L. Gilliland and the citizens of Gadsden, Alabama for their unique experiment in Gadsden, Vietnam.

Also:

S. J. R. 12. Requesting Alabama's delegation in Congress to use means to have grant to Southwest Alabama Farm Co-op Association investigated and rescinded.

Also:

S. J. R. 16. Designating June 14, 1967, as Flag Day in Alabama.

Also:

S. J. R. 20. Donating surplus medical supplies and equipment purchased in connection with "Doctor for a Day" program, to Bryce Hospital.

Also:

S. J. R. 33. Mourning the death of Dr. James Callanan Van Antwerp.

Also:

S. J. R. 27. Congratulating the Autauga County High School band.

Also:

S. J. R. 37. Designating House Bills 14, 15, 16, 18, 19 and 20 as the Lybrand, Lolley Bills.

Also:

S. J. R. 38. Commending Mrs. Jeff Beeland and Mrs. Juanita Halstead for their performance in the International All Women's Air Race.

Also:

S. J. R. 54. Congratulating Michael David Waters who was elected President of Key Club International.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 13. Mourning the death of Mr. John O. Burleson of Hartselle.

Also:

S. J. R. 17. Petitioning Congress to enact legislation making the malicious public burning of the American flag a federal crime.

Also:

S. J. R. 23. Naming the bridge being constructed over the Alabama River between Camden and Yellow Bluff, "The Frank Dobson Bridge".

Also:

S. J. R. 26. Requesting the Alabama Delegation in Congress to call upon Congress to strengthen laws to control communist party by a new declaration of legislative intent and to propose a new amendment to the Constitution.

Also:

S. J. R. 29. Expressing pride and good wishes to Steve Walker of Montgomery.

Also:

S. J. R. 32. Mourning the death of Mr. William James Samford of Opelika.

Also:

S. J. R. 44. Commending Mr. Lee Taylor for establishing a new world's speed record on water.

Also:

S. J. R. 46. Congratulating Miss Sylvia Hitchcock of the University of Alabama.

Also:

S. J. R. 49. Requesting each state supported institution of higher learning in Alabama to fly the Alabama Flag and the Confederate Battle Flag along side the American Flag.

Also:

S. J. R. 51. Mourning the death of Hon. Hugh E. Fort of Mobile.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 28. Requesting the State Finance Director to institute proper proceedings in securing a refund of \$1,000.00 to the National Association of Auditors, Comptrollers and Treasurers.

Also:

S. J. R. 36. Memorializing the President and Secretary McNamara to institute arrangements with commercial airlines to enable dependents of servicemen to travel at standby rates.

Also:

S. J. R. 45. Expressing sympathy to the family of Fireman Hershell O'Neal Roy who was killed while fighting a fire in Montgomery.

Also:

S. J. R. 47. Expressing sympathy to the parents of Lance Corporal William Marshall Shaw, Jr. who was killed in Vietnam.

Also:

S. J. R. 59. Expressing sympathy to the family of Major James Alvin Rainwater, Jr. who was killed in Vietnam.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 225. To provide an expense allowance for the district attorney of the Second Judicial Circuit of Alabama, payable by the counties composing said circuit; providing an effective date and a termination date for operation of the Act.

Also:

S. 226. To provide an additional expense allowance to the judge of the second judicial circuit of Alabama payable by the counties composing said circuit; providing for an effective date and a termination date for the operation of the act.

Also:

S. 282. To provide for an expense allowance for each of the circuit judges of all judicial circuits in this State composed of five (5) counties, with not less than three (3) circuit judges; and providing for the payment of such expense allowance out of the general funds of the counties composing such judicial circuits.

Also:

S. 304. To amend Act No. 107, H. 455, Regular Session 1965, an act changing the method of compensating certain officers of Lauderdale County and placing such officers on a salary basis.

Also:

S. 372. To provide for the distribution among the municipalities in any county having a population as great as 120,000 and not exceeding 200,000, according to the last or any succeeding federal decennial census, of a portion of the State Gasoline Excise Tax paid to such county pursuant to the provisions of Section 5 (b) of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

Also:

S. 377. Relating to Fayette County: To alter and rearrange the boundaries of the City of Winfield so as to reduce the corporate limits and exclude certain territory which lies in Fayette County from the city.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 58. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Also:

S. 383. To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 194. To amend Section 188, Section 204 and Section 207, Title 26, Code of Alabama 1940, as last amended, all relating to unemployment compensation.

Also:

S. 195. To amend Code of Alabama 1940, Title 26, Sections 279, 283, 289, 293 and 300, which relate to the Workmen's Compensation Law.

Also:

S. 196. To amend Section 240, Title 26, Code of Alabama 1940, as last amended.

Also:

S. 198. To amend Section 235, Title 26, Code of Alabama 1940, as last amended.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILL RECALLED AND RE-REFERRED

On motion of Mr. McCarley, unanimous consent was given for the Bill, S. B. 481, to be recalled from the Standing Committee on Local Legislation No. 1.

Mr. McCarley then moved that said Bill, S. B. 481, be re-referred to the Standing Committee on Finance and Taxation, which motion was adopted and said Bill, S. B. 481, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Gilmore, Giles, Branyon, Carr, Givhan, Lindsey, Hawkins, Childs, McCarley, Bailes, Vacca, McDermott, Pelham, Morrow, Torbert, Engel, Oden, Clark, Lolley and Folsom:

S. 499. Creating the Alabama Sesquicentennial Commission, defining the powers and duties of the Commission and making an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Turner:

S. 500. To provide for installation of certain distinctive plaques in public school buildings, and making an appropriation to pay therefor.

Committee on Finance and Taxation.

By Mr. Giles:

S. 501. To authorize the Board of Commissioners of any incorporated municipality organized and operating under the provisions of Chapter 4, Article 2, Title 37, Code of Alabama 1940, as amended, which owns and operates a light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to authorize a municipal board or a municipal public corporation which owns or operates a municipal light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, and operating in a municipality organized under Chapter 4, Article 2, Title 37, Code of Alabama 1940, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to fix his duties while so acting as superintendent, to pay additional compensation for his services as superintendent of such system or systems, and to validate the employment of and compensation paid to any Mayor or President of the Board of Commissioners for services heretofore rendered as superintendent of any such system or systems.

Committee on Municipalities and
Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 224. Relating to the office of the sheriff of Chilton County; providing further for the appointment, number, term, duties and compensation of the deputies of the sheriff, and repealing conflicting laws, including Act No. 673, H. 1026, Regular Session 1951 (Acts 1951, p. 1166); Act No. 501, H. 936, Regular Session 1953 (Acts 1953, p. 633); and Act No. 582, H. 963, Regular Session 1961 (Acts 1961, p. 688) giving the Act retroactive effect.

Also:

H. 227. Relating to the Town of Evergreen in Conecuh County, Alabama; altering and extending the corporate limits of the municipality.

Also:

H. 359. To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties.

Also:

H. 348. To apply only in counties in the state having a population of not less than 46,000 nor more than 46,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 362. Relating to law enforcement in Chilton County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Also:

H. 200. To apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county.

Also:

H. 141. Relating to Autauga County; authorizing the county board of education to furnish certain equipment, supplies, and services heretofore furnished by the county governing body and relieving the county governing body of the responsibility of furnishing such equipment, supplies, and services.

Also:

H. 313. To apply only in counties having populations of not less than 100,000 nor more than 115,000; providing for establishment, operation, and financing of educational survey committees in such counties.

Also:

H. 287. To apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices.

Also:

H. 124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Oneonta, in Blount County, Alabama, so as to annex territory to the said city.

Also:

H. 14. To amend further the title and Sections 1, 2, 3 and 4 of Act No. 396, H. 289, Regular Session 1957 (Acts 1957, Page 549) as amended by Act 124, H. 223, Second Special Session 1965; (Acts of Alabama 1965, Page 172), and to amend Sections 6 and 7 of said Act entitled, "An act concerning gifts of securities, money and life insurance to minors and to make uniform the law with reference thereto", so as to provide for gifts of annuity contracts to minors under such act, to define "financial institution", to provide for the designation and appointment of a successor custodian, and for other purposes.

Also:

H. 15. Granting to minors not less than 15 years of age at nearest birthday the capacity to contract for annuities, endowments, life insurance and accident and sickness insurance on his own life or body or on the life or body of any person in whom such minor has an insurable interest; and providing that minors not less than 18 years of age at nearest birthday may give valid acquittance, discharge and release for payment or payments under life insurance endowment and annuity contracts and accident and sickness insurance contracts not exceeding \$3,000 in any one year made by any one company.

Also:

H. 16. To amend Code of Alabama 1940, Title 28 Sections 68 and 70 relating to guarantee fund and deposits of insurance companies.

Also:

H. 18. To provide for the assignment of life insurance policies under certain circumstances even to those having no insurable interest.

Also:

H. 19. TO AMEND Section 1 of Act 347 of the General Acts of Alabama 1947, now codified as Title 28, Section 246, Code of Alabama (1940) to provide that a mutual aid association, benefit or industrial company, shall have a minimum paid-in capital of fifty thousand dollars plus an additional surplus of seventy-five thousand dollars, and for other purposes.

Also:

H. 20. To amend Section 7 of Title 28 of the Code of Alabama (1940) to provide that the validity of a life insurance policy shall not be contested after it has been in force during the lifetime of the insured

for a period of two years from its date of issue with certain exceptions; to provide a similar period after which the validity of a reinstated life insurance policy or contract may not be contested for fraud or misrepresentations; to define the scope of such incontestable provision; and to provide that no plea of misrepresentation or fraud in the application for a life insurance policy shall be filed in any court unless accompanied by a payment into court of all premiums paid on the policy being contested.

Also:

H. 228. To amend further Section 7 of Act No. 13, H. B. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County.

Also:

H. 347. Relating to the Twenty-sixth Judicial Circuit, prescribing the powers and duties of any secretary or stenographer appointed by the district attorney of the circuit.

Also:

H. 349. To provide for the payment of expenses of the District Attorney for the Twenty-Sixth Judicial Circuit out of the County Treasury of Russell County.

Also:

H. 352. To provide for the relief of Mrs. Edna Godwin of Baldwin County, authorizing the court of county commissioners, board of revenue, or other like governing body of the county to appropriate county funds to compensate her for injuries received as a result of an accident in the courthouse in Bay Minette.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 253. To amend Section 1 of Act No. 596, H. 1087, approved August 29, 1961 (Acts 1961, V. I, p. 708), an Act entitled "An Act to authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk," so as to further fix such compensation.

Also:

H. 254. To fix the compensation of the clerk appointed by the sheriff of Limestone County.

Also:

H. 252. To amend further Section 1 of Act No. 204, H. B. 544, approved September 30, 1959 (Acts 1959, v. 1, p. 738), an act fixing and providing for the payment of the compensation of clerks and assistants of certain officers of Limestone County.

Also:

H. 364. To amend further Act No. 32, H. 162, Regular Session 1947, an act establishing a law and equity court for Colbert County, in relation to the duty of the clerk of the court to make minute entries of judgments in misdemeanor cases.

Also:

H. 333. Relating to Cleburne County; providing for the compensation and allowances of members of the county governing body; repealing conflicting laws and specifically repealing Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), as amended; giving the Act retroactive effect.

Also:

H. 334. To amend Act No. 198, H. 526, Regular Session 1959 (Acts of Alabama 1959, p. 733), entitled, "An Act relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury," so as to further provide for the compensation of such secretary.

Also:

H. 365. To apply only in counties in the state having a population of not less than 31,000 nor more than 32,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 342. To repeal Act. No. 194, H. 558, Regular Session 1965, an act applying only in counties having populations of not less than 49,500 nor more than 50,000 and authorizing the county governing body of any such county to provide further additional deputies for the Sheriff.

Also:

H. 343. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County.

Also:

H. 83. To provide for transfers from the Juvenile Court to other courts, to set the salary of the Deputy Register of the court, and to provide for expenses for the Judge of said court when attending schools or seminars.

Also:

H. 251. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

Also:

H. 363. To amend Act. No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, providing for appointment by the clerk of a clerical assistant whose compensation shall be paid by the county.

Also:

H. J. R. 56. Designating July 18, 1967 as "Fort McClellan Day" in recognition of the fiftieth anniversary of this installation.

Also:

H. J. R. 49. Mourning the death of the Honorable Peter Alexander Brannon, Director of the Alabama Department of Archives and History.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 36. Further regulating the liquor traffic in Colbert County and authorizing cities in such county to become wet cities if the legal possession, sale and distribution of alcoholic beverages is approved at an election held as authorized in this Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 99. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Blanton:

H. 42. Relating to crimes and offenses; making blackmail a felony; amending Code of Alabama 1940, Title 14, Section 49.

By Messrs. Edington, Downing and Grayson:

H. 72. To amend further Act No. 422, H. 325, Regular Session 1951, an act known as "The Alabama Real Estate License Law of 1951."

By Messrs. Springer and Cameron:

H. 155. To amend Code of Alabama, Title 13, Sections 49, 51, and 57, relating to the Clerk of the Supreme Court.

By Messrs. Springer and Cameron:

H. 156. To amend Code of Alabama, Title 13, Section 79, relating to Assistant Marshal and Librarian of the Supreme Court of Alabama.

By Messrs. Springer and Cameron:

H. 157. To amend Code of Alabama, Title 13, Section 78, relating to the Marshal and Librarian of the Supreme Court.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore and Leonard (with substitute):

S. 95. To prohibit certain operations in proximity to high voltage electrical power lines and prescribe the punishment therefor.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Engel:

S. 301. To amend Act No. 79, S. B. 76, Special Session 1961, an act regulating the practice of engineering and land surveying, in relation to definitions and general requirements for registration and certification.

By Mr. Engel:

S. 367. Relating to rentals or royalties under a mineral rights lease; prescribing rights and liabilities of the parties in interest in regard to payment and non-payment.

By Mr. Torbert:

S. 380. To provide for performance of the duties of governor when the governor is disabled.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors:

S. 108. To amend further Code of Alabama 1940, Title 17, Section 114, which relates to the preservation of ballots and records of voting machines after an election.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore, Radney and Givhan (with amendment):

S. 378. Relating to absentee voting in primary, general, special and municipal elections; revising Act No. 424, H. 351 of the 1949 Regular Session, so as to incorporate other presently effective absentee voting laws into said Act No. 424 of the 1949 Regular Session, as amended, to eliminate therefrom the requirement for registering as an absentee voter, to extend the privilege of casting absentee ballots to additional qualified electors, and to clarify certain provisions of said act relative to applications for, the casting of, and the handling of absentee ballots, and the duties and compensation of the register, or person appointed in his stead to handle absentee ballots when the register is disqualified; amending Sections 2, 4, 5, 6, 7, 9, 12, 14, 15, 16 and 17 and repealing Section 10 of said act, and also repealing Act No. 174, H. 51, of the 1961 Special Session, Act No. 183, H. 236 of the First Special Session of 1964 and Act No. 795, H. 664 of the 1965 Regular Session.

Mr. Engel, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel, Branyon, Pelham, Giles, Pierce, Jackson, Lolley and McDermott:

S. 484. To provide for and authorize the organization of a public corporation in the state to be named Tombigbee Valley Development Authority, for the purposes of furthering the development of (1) a navigable waterway between Demopolis, Alabama, and the Tennessee River and (2) a flood control project on the tributary streams of the

Tombigbee River; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway and the proposed flood control project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding \$10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway and the proposed flood control project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

By Messrs. Engel, Branyon, Pelham, Giles, Pierce, Jackson, Lolley and McDermott:

S. 485. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Demopolis, Alabama, and the Tennessee River and (2) the implementation and maintenance of flood control projects on the tributary streams of the Tombigbee River; to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding \$10,000,000; and to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

The above Bill was read a second time at length as required by the Constitution.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grayson et al:

H. 501. To provide that the governing body of cities having a population of not less than two hundred thousand nor more than three hundred thousand according to the last or any subsequent federal decennial census shall be empowered to offer a reward for the apprehension or furnishing of information leading to the apprehension and conviction of persons committing crimes within said cities in an amount not exceeding one thousand dollars.

By Mr. Williams:

H. 470. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of The Board of Equalization in such counties.

By Mr. Skidmore (with notice and proof):

S. 497. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

By Mr. Merrill et al:

H. 357. To amend Act No. 154, H. 746, Regular Session 1965, an act creating the office of commissioner of licenses in counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census (Acts 1965, v. 1, p. 218) so as to make further provisions respecting the compensation of the commissioner of licenses.

By Mr. Merrill et al:

H. 191. Relating to all counties having populations of not less than 76,000 nor more than 96,000 according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the court of county commissioners, board of revenue, or other like county governing body; repealing conflicting laws.

By Mr. Merrill et al:

H. 192. Relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing further for the compensation of the chairman and members of the court of county commissioners, board of revenue or other like county governing body, repealing conflicting laws.

By Mr. Albea:

S. 285. To amend Act No. 176, H. B. 463, Regular Session 1965, an Act applying only in counties having populations of not less than 76,000 nor more than 96,000 and regulating the compensation and allowances of members of boards of education of such counties.

By Mr. Bassett:

H. 540. To apply only in counties having populations of not less than 25,800 nor more than 26,700, providing that the Pike County Board of Education is hereby authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff.

By Mr. Merrill et al:

H. 516. To declare the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951, and as further amended by an Act approved July 24, 1953, in Counties in Alabama having a population of not less than 76,000, nor more than 96,000 inhabitants according to the last or any subsequent Federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such Counties; to declare that habitual violations of the statute constitutes a legal nuisance in such Counties; to provide certain exemptions; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such Counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer jurisdiction for enforcement upon courts having equity jurisdiction in such Counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

By Mr. Paulk (with notice and proof):

H. 515. To alter, extend, re-arrange and re-design the boundaries and corporate limits of the city of Union Springs in Bullock County, Alabama.

By Mr. McLain et al (with notice and proof):

H. 533. To alter, rearrange and extend the boundary lines and corporate limits of the City of Huntsville so as to annex certain territory to the City of Huntsville, Madison County, Alabama.

By Mr. Snodgrass et al (with notice and proof):

H. 477. To provide an additional and alternate method of issuing licenses and the paying for same in Madison County.

By Mr. Skidmore:

S. 476. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

By Mr. Skidmore:

S. 477. To apply only in counties having populations of not less than 100,000 nor more than 115,000; providing for appointment of bailiffs in the county courts of such counties.

By Mr. Skidmore:

S. 479. To amend Act No. 311, H. 741, Regular Session 1965, relating to Tuscaloosa County and providing for the Tuscaloosa County Court (Acts, Regular Session 1965, v. 1, p. 426).

By Mr. Skidmore:

S. 480. To apply only in counties having populations of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; providing expense allowances for certain county officers in such counties.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 615. To amend Act No. 437, H. 886, approved November 13, 1959, an act creating a jury commission for Covington County (Acts 1959, v. 2, p. 1125).

By Mr. Brassell:

H. 584. To provide an expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama and repeal conflicting laws.

By Mr. Collier:

H. 616. Proposing an amendment to the Constitution relating to costs and charges of courts in Elmore County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Collier (with notice and proof):

H. 565. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Elmore County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

By Mr. Harper (with notice and proof):

H. 612. To provide for a division of the Court of Common Pleas of Tallapoosa County composed of Beats 10, 12, and 13 of said county, and for holding sessions of the court at Carrville.

By Mr. Owens (W) (with notice and proof):

H. 552. To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes, to modify and change the purposes for which the proceeds of such taxes may be used, and to repeal Section 11 of said act which provides for the termination of the levy of such taxes.

By Mr. Owens (W):

H. 571. To apply only in counties having populations of not less than 19,500 nor more than 20,000, fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees.

By Mr. Owens (W):

H. 554. To amend Act No. 145, H. 181 of the Special Session of 1967, an act providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

By Mr. Owens (W) (with notice and proof):

H. 553. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

By Mr. Wright (with notice and proof):

H. 369. To alter, rearrange and extend the boundary lines of the City of Gadsden in Etowah County, Alabama, so as to include within the corporate limits of said city certain property herein set out and described.

By Messrs. Wright and Malone:

H. 528. Relating to law enforcement in all counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

By Mr. Pelham:

S. 489. Relating to cities having a population of not less than 35,000 nor more than 55,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

By Mr. Pelham:

S. 490. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 300,000 nor more than 500,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

By Messrs. Starnes, McDonald and Drake:

H. 535. Relating to counties having populations of not less than 47,000 nor more than 49,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fees.

By Mr. Mathews:

H. 519. To amend Act No. 286, H. 250, Regular Session 1965, an act regulating the compensation of members of the county board of education in counties having populations of not more than 10,800 according to the most recent federal decennial census (Acts, Regular Session 1965, v. 1, p. 399).

By Messrs. Shumate and Dobbs:

H. 654. Proposing an amendment to the Constitution of Alabama relative to the economic development of the town of Carbon Hill in Walker County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Drake, McDonald and Starnes (with notice and proof):

H. 579. To amend further Section 2 of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

By Mr. Folsom (with notice and proof):

S. 494. To alter, or rearrange the boundary lines of the City of Cullman, Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

By Mr. Melton (with notice and proof):

H. 521. To empower the Board of Directors of Conecuh County to create and establish an insurance fund to provide accident, hospital and compensation insurance for employees and officers of Conecuh County.

By Mr. Melton (with notice and proof):

H. 522. To provide an expense allowance for members and the chairman of the Conecuh County Board of Directors or other like governing body of Conecuh County.

By Messrs. Melton and Garrett (with notice and proof):

H. 523. Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Conecuh County.

By Mr. Cooper (with notice and proof):

S. 482. To provide allowances for expenses for members of the board of education of Wilcox County.

By Messrs. McCorquodale and Agee (with notice and proof):

H. 497. Relating to Clarke County, Alabama; authorizing and providing for the establishment, maintenance, operation, control and financing of a Public Law Library for the County.

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion to reconsider the vote by which the Bill:

S. 11. Proposing an amendment to the Constitution of Alabama relative to the holding of primary elections by political parties, and ordering an election thereon.

was passed on the Fourteenth Legislative Day, said motion to reconsider having been made by Mr. Albea on the Fifteenth Legislative Day.

Mr. Albea moved that his motion to reconsider be laid on the table. Mr. Cooper moved as a substitute motion that the Senate postpone the motion to reconsider until the Twenty-Sixth Legislative Day. Mr. Albea moved that the motion to postpone be laid on the table, which motion was lost.

The question then recurred on the motion of Mr. Cooper that the Senate postpone further consideration of the motion to reconsider the vote by which the Bill, S. B. 11, was passed, and the motion to postpone was then adopted.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Adams	Folsom	Lolley	Pierce
Bailes	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Hawkins	Oden	Vacca
Cooper	Jackson		

—25

Nays:

Messrs.:	Harris	Nabors	Skidmore
Albea	Leonard	Radney	

—6

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 61. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mark with sincere regret the death of Lance Corporal William Edward Murff, U. S. Marine Corps, formerly of Prattville and son of Mr. and Mrs. William H. Murff of that city. Corporal Murff was fatally injured while engaged in action against the enemies of his country in Vietnam. The passing of this fine young Alabamian in the service of his country is deeply mourned.

RESOLVED FURTHER, That the Secretary of the Senate shall send a copy of this Resolution duly enrolled to the parents of Corporal Murff.

On motion of Mr. McCarley, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Givhan, Bailes, Morrow and Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 62. WHEREAS Mr. Ralph L. Smith, now of Palm Springs, California, has for many years been a most generous benefactor to various educational institutions throughout the United States and particularly to colleges and universities in Alabama. His contributions during the past year to the University of Alabama Medical College, where he had previously established a memorial scholarship fund, have been of invaluable benefit in furthering training and research programs for medical students and doctors; and

WHEREAS Mr. Smith has long been noted for his interest in young people, and his numerous gifts and assistance to the Future Farmers of America have been of untold benefit to the many thousands of members of this organization. His donations of prize beef cattle and knowledge and experience in the breeding of fine specimens have added much impetus to the upgrading of cattle breeding; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That we are deeply grateful to Mr. Smith for his many most generous contributions to Alabama and its institutions and people, and we warmly commend him for his discerning generosity in aiding programs of far reaching and lasting benefit.

On motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 466. To amend further an act entitled "An Act to divide the County of Cleburne into commissioners districts and to regulate the election of county commissioners" approved March 4, 1901, so as to provide for nomination and election of commissioners by districts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Leonard			—25

Nays:

—0

The Bill:

S. 459. To apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to provide additional compensation for registrars.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Stone
Bailes	Giles	McCarley	Torbert
Branyon	Harris	McDermott	Turner
Carr	Hawkins	Oden	Vacca
Childs	Jackson		

—25

Nays:

—0

The Bill:

S. 410. Relating to counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; prohibiting consumption of alcoholic beverages in certain places in such counties; levying a license tax on the sale or distribution of alcoholic beverages within the county in addition to all other taxes and licenses now imposed by law; creating a "Board of Control"; authorizing the Probate Judge to provide rules and regulations and administrative machinery for the enforcement and collection of the license tax levied under this Act; prescribing penalties for violation of the Act; and providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden
Adams	Folsom	Lolley	Pelham
Albea	Giles	McCarley	Pierce
Bailes	Gilmore	McDermott	Radney
Branyon	Givhan	Morrow	Skidmore
Carr	Goodwyn	Nabors	Stone
Childs	Harris		

—25

Nays:

—0

The Bill:

H. 337. To provide for payment of expense allowances to members of the board of revenue, court of county commissioners or other like governing body of Franklin County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Adams	Folsom	Lolley	Pierce
Albea	Giles	McCarley	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Leonard		

—25

Nays:

—0

The Bill:

S. 297. To apply only in counties having populations of not less than 300,000 nor more than 500,000, fixing the compensation of the assistant chief deputy sheriff of any such county and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden	
Adams	Giles	Lolley	Pelham	
Albea	Gilmore	McCarley	Pierce	
Bailes	Harris	McDermott	Radney	
Branyon	Hawkins	Morrow	Skidmore	
Carr	Jackson	Nabors	Vacca	
Cooper	Leonard			—25

Nays:

—0

The Bill:

S. 472. An act to alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama, in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Radney	
Branyon	Givhan	Lolley	Skidmore	
Carr	Goodwyn	McCarley	Stone	
Childs	Harris	McDermott	Torbert	
Clark	Hawkins	Nabors	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays:

—0

The Bill:

H. 467. Relating to Cleburne County; providing for the election, qualifications, terms and compensation of the members of the county board of education.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 467, to-wit:

AMENDMENT TO H. B. 467

Amend H. B. 467 as follows: By adding at the end of the last sentence of Section 2 the following:

"The qualifications of this Bill will not apply to the incumbents now in office."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Oden	Torbert	
Childs	Harris			—25

Nays: —0

And said Bill, H. B. 467, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Oden	Torbert	
Childs	Harris			—25

Nays: —0

MOTION TO ADJOURN LOST

At 3:45 P. M., Mr. Cooper moved that the Senate adjourn until Thursday, July 27, 1967, at 12 o'clock Noon, which motion was lost.

FURTHER CONSIDERATION OF S. B. 307

The Senate proceeded to further consideration of the Bill:

S. 307. To revise and amend Act No. 65 of the Second Special Session of the Legislature, 1965, approved September 30, 1965.

And said Bill, S. B. 307, was read a third time at length and lost.

Yeas 6; Nays 19.

Yeas:

Messrs.:	Harris	Radney	Turner	
Cooper	Lolley	Stone		—6

Nays:

Messrs.:	Dominick	Goodwyn	Morrow	
Bailes	Engel	Hawkins	Nabors	
Branyon	Folsom	Leonard	Pelham	
Carr	Gilmore	McCarley	Pierce	
Childs	Givhan	McDermott	Vacca	—19

ADJOURNMENT

At 3:52 P. M., on motion of Mr. Cooper, the Senate adjourned until Thursday, July 27, 1967, at 12 o'clock Noon.

TWENTY-FOURTH LEGISLATIVE DAY

THURSDAY, JULY 27, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend William Jay Treat, Curate, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins	Oden	

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Third Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Leonard for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Giles:

S. 502. To provide, in any county of the State of Alabama having a population of not less than 115,000 or more than 160,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from State, county and city taxation.

Committee on Local Legislation No. 1.

By Mr. Giles:

S. 503. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 170,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Committee on Local Legislation No. 1.

By Messrs. Skidmore, Giles and McDermott:

S. 504. To amend Section 312 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to provide that the maturities of revenue bonds issued under subdivision 3 of Article 2 of Chapter 6 of the said code, as amended, shall comply with the applicable requirements of Section 255 of the said Title 37 and so as to eliminate any other requirements with respect to such maturities.

Committee on Municipalities and
Municipal Organizations.

By Messrs. Skidmore, Giles and McDermott:

S. 505. To amend Section 255 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to clarify its provisions; so as to incorporate therein the provisions of Act No. 724, 1957 Regular Session, which relates to compliance with the said Section 255; and so as to provide that all revenue bonds issued pursuant to Chapter 6 of Title 37 of the Code of Alabama of 1940 and payable out of the revenues from the same system or systems may be treated as if constituting one issue for the purpose of compliance with the requirements of the said Section 255.

Committee on Municipalities and
Municipal Organizations.

By Mr. Givhan:

S. 506. To repeal Act No. 301, approved June 26, 1931, entitled, "An Act to provide for a special election to be held in Perry County, Alabama, to determine whether the County Superintendent of Education shall be elected by the qualified voters of Perry County, to further provide for the time and manner of his election, and, to fix his term of office and salary; and to prescribe his qualifications".

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit: -

To repeal Act. No. 301, approved June 26, 1931, entitled, "An Act to provide for a special election to be held in Perry County, Alabama, to determine whether the County Superintendent of Education shall be elected by the qualified voters of Perry County, to further provide for the time and manner of his election, and, to fix his term of office and salary; and to prescribe his qualifications".

Be It Enacted by the Legislature of Alabama:

SECTION 1. That Act No. 301, approved June 26, 1931, entitled, "An Act to provide for a special election to be held in Perry County, Alabama, to determine whether the County Superintendent of Education shall be elected by the qualified voters of Perry County, to further provide for the time and manner of his election, and, to fix his term of office and salary; and to prescribe his qualifications", be and the same is hereby repealed in its entirety.

SECTION 2. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1967.

ALBERT STEWART.

Sworn to and subscribed before me July 27, 1967.

ELIZABETH F. STEWART,
Notary Public, Perry County, Ala.

By Mr. McCarley:

S. 507. Relating to Autauga County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Autauga County; and providing for a referendum.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Autauga County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Autauga County; and providing for a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue of Autauga County, or any succeeding county governing body performing the functions of the county governing body in said county, shall employ a county engineer, who shall be a thoroughly qualified and competent civil engineer, possessing all of the qualifications as specified for county engineers under the general laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Autauga County public roads, highways, bridges and ferries, and shall, during his employment, reside in Autauga County, Alabama.

Section 2. Said county engineer shall be appointed by the board from a nomination made by the state highway director. If said nomination is not acceptable to said board the state highway director shall be requested to make additional nominations. Should the state highway director refuse, or fail to make nominations, the board may fill the position of county engineer with any person who has the qualifications herein set out.

Section 3. It shall be the duty of the said county engineer, (1) to employ, supervise and direct all such assistants as are necessary properly to maintain and construct the public roads, highways, bridges, and ferries of Autauga County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) to

perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) to build, or construct new roads, or change old roads, but only when ordered to do so by proper order of the board; (5) it shall be his further duty, in so far as is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. The said county engineer is hereby designated as the person authorized to make written requisition upon the duly designated purchasing agency, for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads, bridges and ferries in Autauga County.

Section 5. It shall be the duty of the board to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, and ferries, and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants.

Section 6. The board shall fix the amount of the salary of the said county engineer, payable in equal monthly installments from the road and highway funds of Autauga County.

Section 7. Before entering upon his duties, the said county engineer shall make and enter into a surety bond in the amount of five thousand dollars (\$5,000.00), payable to Autauga County, conditioned for the faithful discharge and performance of his duties as such engineer, and for the faithful accounting of all monies or property of said county, which may come into his possession or custody. Said bond shall be executed by a surety company authorized and qualified to do business in Alabama, and be approved by the board. The premiums thereon shall be paid by the county.

Section 8. The board shall furnish the county engineer with an office at the courthouse, or elsewhere, at the county seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 9. The county engineer shall be the custodian of all road tools, machinery, supplies and equipment of Autauga County, and he shall be accountable for the same, at all times. The board shall furnish the necessary storage facilities in which to keep said tools, machinery, supplies and equipment, and the county engineer shall keep on files in his office, at all times, an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to Autauga County.

Section 10. The authority of said county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges, and ferries of Autauga County as may be set aside and appropriated by the board, as hereinafter provided; it shall be the duty of said board at some meeting in September of each calendar year, or not later than the first meeting in October following, by order or resolution spread upon the minutes, so fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Autauga County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Autauga County during said period; provided however, that said

board is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said county engineer during said period, when such authorization will not conflict with provisions of the general law under the Budget Act, Title 12, Section 74, of the Code of Alabama 1940. Provided further, that if such funds are presently available, and have not heretofore been set aside by the present Board of Revenue of Autauga County, immediately upon the passage and approval of this Act, it shall be the duty of the board herein created to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the meeting in September or October, 1967, as hereinabove provided for.

Section 11. The county engineer shall make written requisition to the chairman of the board for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repair of the public roads, bridges and ferries of Autauga County. Said requisitions shall be filed and presented by the chairman to the board at its next meeting, for the approval of the board. Provided, however, that the chairman shall have full power and authority to make said purchases without first obtaining the approval of the whole board if the delay caused by the hereinabove procedure, might, in his judgment, cause an unnecessary and harmful interruption in the operation of the county road system.

Section 12. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment, and supplies, purchased by Autauga County for use on public roads, bridges, and ferries, when the same is delivered, and the same shall not be accepted and paid for without its first having been approved by him.

Section 13. In the event an emergency should arise, in which it would be impossible for the board to employ an engineer, as hereinabove provided for, then, in that event the board shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said engineer, and be subject to the provisions of this Act; but an emergency shall not exist so long as the state highway director can nominate an engineer who will accept employment by said board under the terms of this Act, it being the intention of this Act to provide that, when county roads are to be maintained or constructed in said county, the supervision thereof shall be either under a county engineer, as hereinabove provided for, or, by a road supervisor, who is not a member of the board.

Section 14. It shall be the further duty of each associate member of the board to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the board with his recommendations; to advise with the county engineer concerning the problems of his district, particularly; and to assist in securing rights-of-ways, and assist in public relations generally.

Section 15. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. This act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Autauga County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the first election day in the county next following final passage of this act. Notice of the election shall be given by the judge of probate of Autauga County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition shall be stated substantially as follows:

"Do you favor the local law placing Autauga County public roads, highways, bridges and ferries under the county unit system and authorizing and requiring the employment of a county engineer? Yes () ; No ()." If a majority of the votes cast at the election are in the affirmative, this act shall be in full force and effect from the first day of the second month next following the date of the election. If a majority of the votes cast are in the negative, this act shall have no further effect. The judge of probate of Autauga County shall certify the results of the election to the Secretary of State within thirty days after the returns have been canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me July 27, 1967.

LINDA H. BREEDLOVE,
Secretary-Notary.

My Commission Expires Dec. 9-70.

By Mr. McCarley:

S. 508. To abolish the Board of Revenue of Autauga County and to create in lieu thereof the Board of Revenue and Control; to name and designate the chairman and first members of the board created herein and to provide for the election of their successors; to define the authority, powers and duties of the board and to prescribe the qualifications, terms and compensation of its members; to repeal conflicting laws including Sections 1, 5 and 6 of Act No. 222, H. 317, approved January 27, 1879 (Acts 1878-1879, p. 248), an act establishing the Board of Revenue of Autauga County and all amendatory acts thereto, and Act No. 110, S. 235, approved January 28, 1891 (Acts 1890-1891, p. 252), an act providing for the election of the Board of Commissioners of Autauga County, and Act No. 81, H. 329, approved July 7, 1947 (Local Acts 1947, p. 58), authorizing a contingent fund; and to provide for a referendum.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Board of Revenue of Autauga County and to create in lieu thereof the Board of Revenue and Control; to name and designate the chairman and first members of the board created herein and to provide for the election of their successors; to define the authority, powers and duties of the board and to prescribe the qualifications, terms and compensation of its members; to repeal conflicting laws including Sections 1, 5 and 6 of Act No. 222, H. 317, approved January 27, 1879 (Acts 1878-1879, p. 248), an act establishing the Board of Revenue of Autauga County and all amendatory acts thereto, and Act No. 110, S. 235, approved January 28, 1891 (Acts 1890-1891, p. 252), an act providing for the election of the Board of Commissioners of Autauga County, and Act No. 81, H. 329, approved July 7, 1947 (Local Acts 1947, p. 58); authorizing a contingent fund; and to provide for a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in and for the County of Autauga, in the State of Alabama, a Board of Revenue and Control, sometimes, hereinafter referred to as the board which said board shall be the governing body of Autauga County, Alabama, and shall have and exercise all of the powers, duties, limitations, and responsibilities, and in the same manner, and its members subject to all penal provisions of the general laws of Alabama, now in effect, or hereinafter enacted, governing courts of county commissioners, and the members thereof, but only in so far as they are consistent with the provisions of this Act.

Section 2. The board herein created shall be known as "The Board of Revenue and Control of Autauga County, Alabama," and shall take the place of the present "Board of Revenue of Autauga County" which shall cease to exist upon the enactment of this Act, and is hereby abolished.

Section 3. The board herein created shall consist of a chairman, and four associate members, who shall each and severally be chosen and possess the qualifications as hereinafter set out.

Section 4. The chairman of said board, who shall qualify and assume his duties hereunder, immediately upon this Act becoming a law, shall be E. A. Grouby, judge of probate and he shall hold office until the first Monday after the second Tuesday in January 1971, and he shall receive for his services payable out of the county treasury, compensation as heretofore paid. Nothing in this Act shall be construed to modify, amend, or repeal any law fixing the compensation and allowance of the judge of probate for the performance of his duties as presiding judge or chairman of the board. On and after the first Monday after the second Tuesday in January 1971, the chairman of the board herein created shall be the probate judge of Autauga County, Alabama, and he shall receive for his services hereunder the same compensation that does the said probate judge for said services under the said local and general laws.

Section 5. The associate members of the board herein created from districts 1, 2, 3 and 4 as said districts shall be hereinafter defined shall be Dan C. Chambliss, District 1, B. Russell Wood, District 2, J. L. Carter, District 3, and J. B. Tucker, District 4, respectively, shall each qualify and assume their respective duties hereunder, immediately upon the approval of this Act, or upon its otherwise becoming a law, and shall hold office until the first Monday after the second Tuesday in January 1969 and until their successors are elected and qualified.

Section 6. Beginning at the next term of office, the Board of Revenue of Autauga County shall meet regularly at the courthouse on the 3rd day of each month unless this day falls on a holiday and in this case shall meet the following day, unless some other day be agreed upon prior to the meeting for the transaction of business properly coming before the board. The board may hold special meetings at the call of the chairman. For each day's actual attendance at such meetings, the members shall each receive ten dollars (\$10). For the performance of their official duties in connection with the construction, repair, and maintenance of the roads and bridges of the county, the members of the board of revenue shall each receive five hundred dollars (\$500) per month. The salary herein provided for each member of the board plus the per diem pay allowed for each meeting of the board, shall be his entire compensation and shall be in lieu of all other compensation and allowances for mileage and/or expenses. However, nothing in this Act shall be construed to modify, amend, or repeal any law fixing the compensation and allowances of the judge of probate for the performance of his duties as presiding judge or chairman of the board.

Section 7. For the purposes of this Act, and for future election of associate members of the board, said county is hereby divided into four subdivisions, to be known as districts, and to be numbered one to four, inclusive. District No. 1 shall embrace and be composed of voting precinct number 1. District No. 2 shall be composed of voting precincts numbers 3 and 4. District No. 3 shall be composed of voting precincts numbers 6, 7, 8 and 9. District No. 4 shall be composed of voting precincts numbers 10 and 11.

Section 8. At the general election immediately prior to the expiration date of the term of office of each of the associate members as they are hereinabove named, and as is hereinabove provided and every four years thereafter, their successors shall be elected by the qualified voters of the respective districts, and the term of office of each associate member so elected shall be for four years, beginning on the first Monday after the second Tuesday in January, following his said election and until his successor has been elected and qualified.

Section 9. Each associate member of said board shall be nominated by the voters of his respective district who are authorized to participate in any primary election, caucus, or convention, called or held by any political party for the nomination of said office. Each said associate member shall be a resident and qualified voter of the district for which he is elected, and shall reside in said district continuously during the term of his office.

Section 10. Each said district shall be entitled to one associate member on said board, at all times, and should any vacancy occur, such vacancy shall be filled by appointment of the Governor, and the person so appointed shall hold office for the remainder of the term of the place which is vacant.

Section 11. Each member of the board herein created shall, before entering upon the duties of his office, execute a good and sufficient bond, in the same amount, with the same conditions, which must be approved in the same manner, and must qualify in the same manner in all respects, except in so far as the same may be inconsistent with the provisions of this Act, as is provided under the general laws of the State of Alabama for the members of the courts of county commissioners.

Section 12. Action in the name of and under the authority of the board may be taken by a majority of said board, present and voting at any regular or special meeting, provided that, at least a quorum is in attendance. A quorum shall consist of the chairman and two other members, or three members other than the chairman.

Section 13. The board shall employ a clerk, who shall receive such compensation for his services as may be determined and fixed by the board, and the board may employ a secretary or such other clerical help and assistants as may be deemed necessary for the proper, efficient and economical operation of the office of said board. The clerk shall enter the minutes of all proceedings of the board in a well bound book provided him for that purpose, which book shall be kept in the office of the board, and shall be open to the inspection of the public at all reasonable hours. The minutes of the proceedings of the board shall be entered and recorded in the minute book within five days from the adjournment of every regular or special meeting. The clerk shall present to the board at each regular meeting a list of all claims which have been filed against the county. He shall, also, keep a complete record of all receipts and disbursements of all county funds, and must be prepared at all times to show the exact financial condition of the county.

Section 14. The board shall have the power, and is hereby authorized to appropriate, out of any monies in the county treasury, not otherwise appropriated, and to expend not exceeding the sum of six thousand dollars (\$6,000.00) per annum for any purposes, not otherwise provided for by law, which in its judgement are worthy and for the best interests of the county, the fund hereby authorized to be known as the "Contingent Fund." Provided, however, that the expenditures herein provided shall first be authorized by the board, and spread upon the minutes; and, provided further, that not more than six thousand dollars (\$6,000.00) shall be appropriated and expended in any one year, under this section, and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as well, together with the sum so remaining unexpended, bring the contingent fund up to the sum of six thousand dollars (\$6,000.00).

Section 15. All laws and parts of laws in conflict with this Act are hereby repealed, including Sections 1, 5 and 6 of Act No. 222, H. 317, approved February 27, 1879 (Acts 1878-1879, p. 248), an act establishing a board of revenue for Autauga County, and all amendatory acts thereto; and Act No. 110, S. 235, approved January 28, 1891 (Acts 1890-1891, p. 252), an act providing for the election of the county board of commissioners of Autauga County; and also, Act No. 81, H. 329, approved July 7, 1947, (Local Acts, page 58), authorizing a "Contingent Fund."

Section 16. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. This Act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Autauga County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the first election day in the county next following final passage of this Act. Notice of the election shall be given by the judge of probate of Autauga County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition shall be stated substantially as follows: "Do you favor the local law abolishing the Board of Revenue of Autauga County and creating in lieu thereof the Board of Revenue and Control of Autauga County? Yes (); No ()." If a majority of the votes cast at the election are in the affirmative, this Act shall be in full force and effect from the first day of the second month next following the date of the election. If a majority of the votes cast are in the negative, this Act shall have no further effect. The judge of

probate of Autauga County shall certify the results of the election to the Secretary of State within thirty days after the returns have been canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me July 27, 1967.

LINDA H. BREEDLOVE,
Secretary-Notary.

My Commission Expires Dec. 9-70.

By Mr. Clark:

S. 509. To protect peace officers from personal abuse or assault while engaged in performance of duties, and to prescribe a penalty for abuse or assault upon such peace officers.

Committee on Public Buildings and Grounds.

By Mr. Lindsey:

S. 510. To disqualify public officers as appraisers, witnesses, or commissioners in eminent domain proceedings when the State of Alabama or any of its political subdivisions is a party to the proceeding, and to repeal conflicting laws.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 511. To amend Section 462, Title 55, Code of Alabama 1940, as amended, so as to permit the Board of Control of the Teachers' Retirement System to appoint and employ, in addition to others as consultants to the Secretary-Treasurer, a nationally recognized investment advisor or advisors.

Committee on Judiciary.

By Mr. Goodwyn:

S. 512. To amend Section 368, Title 52, Code of Alabama 1940, as amended, so as to permit the Board of Control of the Teacher Retirement System to appoint and employ, in addition to others as consultants to the Secretary-Treasurer, a nationally recognized investment advisor or advisors.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

S. 330. To amend Act No. 375, H. 1006, Regular Session 1955, an act providing for the taking of depositions of witnesses or parties upon oral examination for discovery or for use as evidence (Acts 1955, v. 2, p. 901), so as to provide for the use of the subpoena duces tecum.

By Mr. Skidmore:

S. 335. To regulate the issuance of restraining orders and injunctions in labor disputes.

By Mr. Goodwyn:

S. 370. To provide for the compensation of attorneys under the Merit System.

By Messrs. Skidmore and McCarley:

S. 157. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the Department of Industrial Relations and the director thereof to enforce and administer this Act and defining the powers and duties of such department and director relative thereto; prescribing penalties; and repealing conflicting laws.

By Mr. Goodwyn:

S. 487. To amend Section 2 of Title 51 of the Code of Alabama 1940, as amended, which relates to exemptions from ad valorem taxation.

By Messrs. Goodwyn, Branyon, Nabors, Skidmore, Albea, Pierce, Jackson, Giles, Cooper, Vacca, Engel, Hawkins and Lolley:

S. 496. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who served honorably in the armed forces of the United States at any time during the period from January 31, 1955 through December 31, 1963 and under certain conditions to the wives and widows of persons who served honorably during this period.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lybrand, Burgess and Merrill:

H. 493. Relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; regulating the compensation of the judges of the juvenile and domestic relations courts in such counties.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews (with substitute):

H. 23. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mathews:

H. 34. To make an appropriation for the support of the Council of State Governments.

By Mr. Mathews:

H. 27. To make an appropriation to the Governor's Office for the purpose of paying contribution to the National Governors' Conference.

By Mr. Mathews:

H. 28. To provide for cooperation by the State of Alabama with other Southern States in nuclear development of the South, and making an appropriation for that purpose.

By Mr. Mathews:

H. 30. To make an appropriation for the support of the Commission on Mental Illness of the Southern Regional Education Board.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews (with substitute):

H. 26. To make appropriations from the State Treasury for capital improvements.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews (with substitute) (with amendment):

H. 24. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of fiscal years ending September 30, 1968 and September 30, 1969, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the University of South Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews (with substitute):

H. 25. To make conditional annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1968 and September 30, 1969, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the University of South Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission and the Alabama Trade School and Junior College Authority.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mathews:

H. 29. To make appropriations for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

By Mr. Mathews:

H. 33. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

By Mr. Mathews:

H. 32. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

By Mr. Mathews:

H. 397. To make a conditional appropriation for the support and maintenance of Marion Institute, located in Perry County.

By Mr. Mathews:

H. 398. To make a conditional appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

By Mr. Mathews:

H. 399. To make a conditional appropriation for the support and maintenance of Lyman Ward Military Academy, located at Camp Hill, Alabama.

By Messrs. Carr, Leonard, Nabors, McCarley, Pierce, Branyon, Torbert, Radney, Jackson, Folsom, Lindsey, Clark, O'Bannon, Engel, Stone, Gilmore, Bailes, Vacca, Giles, Albea, Adams and Goodwyn:

S. 280. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pierce, Goodwyn and McCarley (with amendments):

S. 453. Making further provisions respecting the issuance of driver's licenses, providing for development, installation, and use of a system of color photographic driver license forms.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mathews:

H. 396. To make an additional appropriation to the State Board of Education for the purpose of purchasing Free Textbooks.

By Messrs. Albea, Skidmore, Torbert, Turner, Folsom and Goodwyn:

S. 17. To authorize the Governor, the Chief Justice of the Alabama Supreme Court, and the Presiding Judge of the Alabama Court of Appeals to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed \$5,000,000.00, construct, operate and maintain, or cause to be constructed, operated and maintained, a judicial building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds, and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom, and any securities issued and the income therefrom, and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn (with amendment):

S. 255. To provide a "revolving fund" in the State Treasury for the Division of State Parks, Monuments and Historical Sites for the operation of a public fishing pier at Gulf State Park, Baldwin County, Alabama, and to provide an original appropriation to said fund.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 381. To amend Code of Alabama 1940, Title 46, Sections 195 and 205, relating to the state board of optometry, the renewal of licenses by optometrists, and the use of the proceeds of license or registration fees.

By Mr. Torbert:

S. 448. To amend further Act No. 152, H. 60, Regular Session 1945 relating to the Legislative Reference Service and the Legislative Council (General Acts 1945, p. 190).

By Mr. Turner:

S. 403. To amend further Code of Alabama 1940, Title 22, Section 207, in relation to the membership of the milk control board and the compensation of such members, and giving the amendment retroactive effect.

By Mr. Smith (P):

H. 297. Proposing an amendment to the Constitution of Alabama authorizing each county and municipality of the State to levy and collect additional property taxes for library purposes.

This Bill was read a second time at length as required by the Constitution.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Turner and Goodwyn (with amendment):

S. 303. To amend Section 5 and Section 8 of Act No. 515, H. B. 93, approved July 9, 1945 (General Acts 1945 Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Radney:

S. 102. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Giles (with amendment):

S. 153. To create and establish the Alabama Council on the Arts, to provide for the appointment of its members, their qualifications, terms, duties, authority, and making an appropriation therefor.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Downing:

H. 209. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Goodwyn, Turner, Clark, Engel, Gilmore, Folsom, Torbert, Lolley, Giles, Nabors, Radney, Lindsey, Branyon, Albea, McCarley, O'Bannon, Adams, McDermott, Stone, Vacca and Pelham (with amendment):

S. 415. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds thereof.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Giles (with amendment):

S. 248. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Oden and McDermott:

S. 495. To amend Section 2 of Act No. 175 adopted at the Regular Session of 1951 of the Legislature of Alabama so as to permit any corporation at any time existing under the said Act No. 175 or under Sections 394 to 402, inclusive, of the Alabama Code of 1940, as amended, to amend its certificate of incorporation under the provisions of the said Act No. 175 so as to include in the said certificate of incorporation any provision that may lawfully be included in an original certificate of incorporation filed under the said Act No. 175.

Mr. Skidmore, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cameron et al:

H. 82. To provide that the disability or death of a firefighter caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for firefighters who, while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of firefighters who, while employed by a municipality, are killed in the line of duty.

By Mr. Springer et al:

H. 146. Relating to membership of state, municipal, and volunteer firefighters in organizations asserting the right to strike; prohibiting participation by firefighters in any strike against the state or any municipality in the state, and prohibiting their membership in any organization that asserts the right to strike against the state or any municipality in the state.

By Mr. Skidmore:

S. 320. To amend Act No. 720, H. 231, approved September 17, 1953 (Acts 1953, v. 2, p. 974), an act prohibiting certain public employees from participating in labor unions or labor organizations, so as to make further provisions respecting the employees of Bryce Hospital, Searcy Hospital, and Partlow State School.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adwell et al:

H. 422. To provide for, regulate, and control the ownership, use, operation and maintenance of passenger automobiles by all cities in this State having a population of 300,000 persons or more, according to the last or any subsequent federal census; to provide the terms and conditions under which officers, deputies, agents and employees of such cities may be provided with such automobiles by such cities, or may use the same and the storage thereof; to generally provide for the use, operation, maintenance, identification and general control of such automobiles so as to prevent fraud and imposition on such cities by those using the same, as well as others, and to provide the punishment for the violation hereof.

By Mr. Adwell et al:

H. 423. To provide that the governing body of any municipality having three hundred thousand inhabitants or more according to the last or any subsequent Federal Census shall have the power and authority to adopt ordinances and regulations under the police power of such municipality, and provide for the enforcement thereof upon any land owned by such municipality situated without the corporate limits of such municipality and not in the corporate limits of any other municipality, the same as if such land owned by the municipality were within the corporate limits thereof.

By Mr. Adwell et al:

H. 424. To authorize the governing body of every city having a population of three hundred thousand persons or more, according to the last or any subsequent Federal Census, to provide by ordinance for the

destruction of records of such city, including public records thereof, determined by such governing body to be obsolete and no longer needed for public purpose.

By Mr. Adwell et al:

H. 425. To provide, in any city of the State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census, upon conviction of the defendant in the Court to which an appeal is taken from a judgment rendered in a Recorder's Court in the City or upon the entering of a Judgment of Forfeiture against the defendant, there shall be added to the other costs a City Solicitor's fee of ten dollars to be paid to the City in the same manner as fines are paid; and to repeal all laws or parts of laws in conflict thereof.

By Mr. Yeilding et al:

H. 426. To amend an Act entitled "An Act to fix the compensation of Supernumerary Circuit Judges", being Act No. 132, approved July 7, 1965.

By Mr. Adwell et al:

H. 427. To create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such City, and for the widows and dependents of such officers and employees, to provide for a custodian of such fund, and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose.

By Mr. Holman et al (with notice and proof):

H. 428. To authorize the Mayor and City Council of the City of Graysville, Alabama, to convey to the First Baptist Church of Graysville, Incorporated, a certain surplus or fragmentary portion of public park property lying and being situated within the corporate limits of the City of Graysville, Alabama.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Weeks and Bowers:

H. 117. To amend Code of Alabama 1940, Title 39, Section 184, in relation to the designation of legal holidays, providing that November 11 each year shall be observed as veterans' day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 467. Relating to Cleburne County; providing for the election, qualifications, terms and compensation of the members of the county board of education.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 60. Relative to denying Stokely Carmichael readmittance to the United States.

Also:

S. J. R. 61. Relative to death of Lance Corporal William Edward Murff, U. S. Marine Corps.

Also:

S. J. R. 62. Relative to expressing gratitude to Mr. Ralph L. Smith for his many generous contributions to Alabama and its institutions and people.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 203. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Also:

H. 392. Providing for five commissioners districts in Baldwin County; providing for the election, term, functions and compensation of a new commissioner; and requiring a referendum.

Also:

H. 463. To further amend Act No. 600, of the 1953 Regular Session of the Alabama Legislature, approved September 15, 1953, entitled, "Relating to Blount County; creating a Court of Record to be known as the Law and Equity Court of Blount County; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the Judge thereof and fixing his qualification, term and compensation, prescribing his authority and duties, and providing for other Officers of the Court, and fixing the cost to be collected therein abolishing the Intermediate Court of Blount County, and revoking certain powers of the Probate Court and the Judge thereof," and imposing a trial tax as cost in criminal cases and providing for a library for the Judges and Officers of the several Courts of Blount County.

Also:

H. 407. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

Also:

H. 405. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

H. 406. To regulate the compensation of jurors in counties having populations of not less than 21,900 nor more than 22,300.

Also:

H. 409. To apply only in counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

Also:

H. 417. Relating to Pickens County; providing for the nomination and election of members of the court of county commissioners, subject to the approval of the electors of the county voting in a referendum to be held thereon, and repealing conflicting laws including Section 1 of Act No. 278, H. 849, Regular Session 1935 (Acts 1935, p. 167), as amended.

Also:

H. 418. Relating to Pickens County; providing for the nomination and election of the county superintendent of education, and for his tenure, qualifications and compensation, subject to the approval of the electors of the county voting in a referendum thereon, and repealing conflicting laws including Section 1 of Act No. 441, S. 363, Regular Session 1963 (Acts 1963, p. 974).

Also:

H. 400. To apply only in counties having not less than 46,500 nor more than 48,000 according to the most recent federal decennial census, further regulating the compensation of the register of the circuit court of such counties.

Also:

H. 78. Fixing supplemental salaries of Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges, and to authorize and provide for the payment of a monthly expense allowance for Circuit Judges in circuits composed of one county and having not less than six nor more than twelve Circuit Judges.

Also:

H. 128. Relating to Coffee County, further regulating the compensation of the members of the county board of education.

Also:

H. 58. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 58. Commending Montgomery firemen and extending sympathy to the family of Mr. Roy, who lost his life, and to those firemen who were injured.

Also:

H. J. R. 50. Requesting all Alabama state supported institutions of higher learning to fly the Alabama State Flag and the Confederate Battle Flag along with the American Flag at homecoming festivities.

Also:

H. J. R. 57. Congratulating Mr. Lee Taylor, Jr., of Downey, California, upon setting the world's record for speed on water in his jet propelled boat.

Also:

H. J. R. 51. Congratulating young Mr. William Curry, III, of Carrollton, winner of the top essay in the geographical division level in the Lions International sponsored Search for Peace contest.

Also:

H. J. R. 53. Deploing the act of violence which damaged the home of J. L. DeFlore of Mobile.

Also:

H. J. R. 59. Designating the William Rufus King State Technical Institute at Selma.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (C):

H. J. R. 62. BE IT RESOLVED That when the House and Senate adjourn today, July 27, 1967, they adjourn to meet again on Tuesday, August 1, 1967, at 2:00 p. m.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 62, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 150. To amend further Code of Alabama 1940, Title 15, Section 318, providing for appointment of counsel for indigent defendants in capital cases.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nay 1.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Adams	Folsom	Lindsey	Radney	
Albea	Giles	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Torbert	
Childs	Givhan	Morrow	Turner	
Clark	Goodwyn	Nabors	Vacca	
Dominick	Hawkins	O'Bannon		—26

Nay: Mr. Cooper —1

The Bill:

S. 64. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

was taken up.

The Standing Committee on Privileges and Elections reported the following amendment to the Bill, S. B. 64, to-wit:

Amend S. B. 64 as follows:

Wherever the words and figures appear as age 18, the same shall be amended to read age 20.

Which was adopted.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Cooper	Jackson	Pierce	
Adams	Dominick	Lindsey	Radney	
Albea	Folsom	Lolley	Skidmore	
Bailes	Giles	McDermott	Stone	
Branyon	Gilmore	Morrow	Torbert	
Carr	Givhan	Nabors	Turner	
Childs	Goodwyn	O'Bannon	Vacca	
Clark	Hawkins	Pelham		—30

Nays: Messrs.: Engel, Harris —2

And said Bill, S. B. 64, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 12.

Yeas:

Messrs.:	Folsom	Morrow	Radney	
Albea	Gilmore	Nabors	Skidmore	
Bailes	Goodwyn	O'Bannon	Stone	
Carr	Hawkins	Oden	Torbert	
Childs	Lindsey	Pelham	Vacca	
Dominick	McCarley	Pierce		—22

Nays:

Messrs.:	Cooper	Givhan	Lolley	
Adams	Engel	Harris	McDermott	
Branyon	Giles	Jackson	Turner	
Clark				—12

The Bill:

S. 119. To amend Section 58 (2) of Title 36, of the 1940 Code of Alabama (as amended).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 1.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Albea	Folsom	McCarley	Pierce	
Bailes	Giles	McDermott	Radney	
Branyon	Gilmore	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—29

Nay: Mr. Skidmore —1

The Bill:

S. 121. To provide for the placement of tail lamps upon motor vehicles.

was taken up.

Mr. Childs offered the following substitute for the Bill, S. B. 121, to-wit:

SUBSTITUTE FOR SB 121

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the placement of tail lamps upon motor vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever any motor vehicle is required to have a tail lamp in this state at least one such operating lamp as prescribed by Section 40 of Title 36 of the 1940 Code of Alabama as amended shall be mounted upon or near the left rear corner of the vehicle, except upon motorcycles or motor-driven cycles, placement on the rear shall be sufficient.

Section 2. Any person convicted of a violation of this act shall be punished by a fine of not less than five dollars nor more than one hundred dollars.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Clark	Jackson	Pelham	Vacca	
Cooper				—28

Nays: —0

And said Bill, S. B. 121, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Albea	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
				—31

Nays: —0

The Bill:

S. 197. To amend Section 7 (2) of Title 58, The Code of Alabama of 1940, as recompiled in 1958, which Section relates to the execution of proxies by fiduciary holding corporate stocks by adding thereto provisions providing for the voting of corporate stocks when the same are registered in the name of a nominee of a fiduciary.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce	
Adams	Dominick	McCarley	Radney	
Albea	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Carr	Hawkins	Oden	Turner	
Childs	Jackson	Pelham		
				—26

Nays: —0

The Bill:

S. 200. To amend Section 62 and Section 73 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 193 of Title 10 of the Code of Alabama of 1940." by recognizing that nominees of corporate fiduciaries hold shares of stock for more than one fiduciary account and may vote a part of said holding in one manner and another part in a different manner.

was taken up.

Mr. Torbert offered the following amendment to the Bill, S. B. 200, to-wit:

AMENDMENT TO S. B. 200

Amend Section 1 by striking therefrom the last 2 sentences and substituting in lieu thereof the following:

"A nominee of a corporate fiduciary holding shares of stock for more than one fiduciary account may dissent as to less than all of the shares registered in his name. In that event, his rights shall be determined as if the shares as to which he has dissented and his other shares were registered in the names of different shareholders."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham
Adams	Dominick	Lolley	Pierce
Albea	Folsom	McCarley	Radney
Bailes	Gilmore	McDermott	Skidmore
Branyon	Goodwyn	Morrow	Stone
Carr	Harris	Nabors	Torbert
Childs	Hawkins	O'Bannon	Vacca
Clark	Jackson		

—29

Nays:

—0

And said Bill, S. B. 200, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce
Adams	Dominick	Lolley	Radney
Albea	Folsom	McCarley	Skidmore
Bailes	Gilmore	McDermott	Stone
Branyon	Goodwyn	Morrow	Torbert
Carr	Harris	Nabors	Turner
Childs	Hawkins	O'Bannon	Vacca
Clark	Jackson	Pelham	

—30

Nays:

—0

The Bill:

S. 201. To amend further Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments of participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 and by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Pelham	
Adams	Dominick	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Harris	Nabors	Vacca	
Clark	Hawkins	O'Bannon		—30

Nays: —0

The Bill:

S. 86. To amend Code of Alabama, Title 13, Section 79, relating to Assistant Marshal and Librarian of the Supreme Court of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Vacca	—31

Nays: —0

The Bill:

S. 88. To amend Code of Alabama, Title 13, Sections 49, 51, and 57, relating to the Clerk of the Supreme Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Adams	Giles	Lolley	Radney	
Albea	Gilmore	McCarley	Skidmore	
Bailes	Givhan	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick				—28

Nays:

—0

The Resolution:

S. J. R. 24. Proposing an amendment to the Constitution of Alabama in relation to the minimum age for registering and voting.

was read a third time at length as required by the Constitution and lost for failure to receive the required Constitutional majority.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Albea	Folsom	McCarley	Pierce	
Bailes	Gilmore	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Vacca	
				—19

Nays:

Messrs.:	Cooper	Harris	McDermott	
Branyon	Giles	Lolley	Radney	
Clark	Givhan			—9

The Bill:

S. 91. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Article 6, Section 164 of the Constitution of Alabama relative to the Clerk of the Supreme Court.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pierce	
Adams	Giles	McCarley	Radney	
Albea	Gilmore	McDermott	Skidmore	
Bailes	Givhan	Morrow	Stone	
Branyon	Goodwyn	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Lindsey			—29

Nays:

—0

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Carr, further consideration of the Bill, S. B. 228, was postponed until the Twenty-Seventh Legislative Day.

On motion of Mr. Engel, further consideration of the Bill, S. B. 258, was postponed until the Twenty-Sixth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 229. To set the terms of office of the respective members of each Board of Revenue, Court of County Commissioners or like governing body of the several counties at six years; to repeal conflicting laws; and to establish an effective date.

was taken up.

Mr. Adams offered the following amendment to the Bill, S. B. 229, to-wit:

Amend S. B. 229 by adding the following at the end of sec. one (1):

Sec. 1(a) This act shall not apply in the following counties:

Calhoun

Dale

Houston

Jefferson

Mobile

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Pierce
Adams	Dominick	McCarley	Radney
Albea	Folsom	McDermott	Skidmore
Bailes	Giles	Morrow	Stone
Branyon	Givhan	Nabors	Torbert
Carr	Goodwyn	O'Bannon	Turner
Childs	Hawkins	Oden	Vacca
Clark	Lindsey	Pelham	—30

Nays: —0

Mr. Cooper offered the following amendment to the Bill, S. B. 229, as amended, to-wit:

AMENDMENT TO S. B. 229

Strike out Section 4 and insert in lieu thereof the following:

Section 4. This Act shall not become operative unless it shall have been approved by a majority of the qualified electors of Alabama who vote thereon in a statewide election held for such purpose. The election shall be held upon the proposition in accordance with the laws governing elections on constitutional amendments. Notice of the election shall be given by proclamation of the Governor which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State.

If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county. The question submitted to a vote shall be stated substantially as follows: "Do you favor 6-year terms for members of the county governing body? Yes () No ()."

Mr. Branyon moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 20.

Yeas:

Messrs.:	Goodwyn	Pierce	Stone	
Adams	Nabors	Radney	Torbert	
Branyon	Oden	Skidmore	Turner	
Clark				—12

Nays:

Messrs.:	Dominick	Harris	McDermott	
Albea	Engel	Hawkins	Morrow	
Bailes	Folsom	Lindsey	O'Bannon	
Carr	Giles	Lolley	Pelham	
Childs	Givhan	McCarley	Vacca	
Cooper				—20

The question then recurred on the amendment offered by Mr. Cooper and said amendment was then adopted.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Dominick	Lindsey	O'Bannon	
Albea	Engel	Lolley	Oden	
Bailes	Giles	McCarley	Pelham	
Carr	Givhan	McDermott	Stone	
Childs	Harris	Morrow	Vacca	
Cooper	Hawkins	Nabors		—22

Nays:

Messrs.:	Clark	Pierce	Torbert	
Adams	Folsom	Radney	Turner	
Branyon	Goodwyn	Skidmore		—10

And said Bill, S. B. 229, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Adams	Engel	Lolley	Pierce	
Albea	Folsom	McCarley	Radney	
Bailes	Giles	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper				—32

Nays:

—0

MOTION TO RECONSIDER

Mr. Radney moved that the Senate reconsider the vote by which the Resolution:

S. J. R. 24. Proposing an amendment to the Constitution of Alabama in relation to the minimum age for registering and voting.

was lost for failure to receive the required Constitutional majority.

Mr. Cooper moved that further consideration of the motion to reconsider be postponed until the next Legislative Day, which motion was lost.

Yeas 10; Nays 22.

Yeas:

Messrs.:	Cooper	Givhan	Pelham	
Branyon	Engel	Lolley	Turner	
Clark	Giles	McDermott		—10

Nays:

Messrs.:	Dominick	McCarley	Radney	
Adams	Folsom	Morrow	Skidmore	
Albea	Gilmore	Nabors	Stone	
Bailes	Goodwyn	O'Bannon	Torbert	
Carr	Hawkins	Oden	Vacca	
Childs	Lindsey	Pierce		—22

The question recurred on the motion of Mr. Radney, which was adopted, and the Senate did reconsider said vote.

And said Resolution, S. J. R. 24, was again read at length as required by the Constitution and adopted.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Adams	Folsom	McCarley	Radney	
Albea	Gilmore	Morrow	Skidmore	
Bailes	Goodwyn	Nabors	Torbert	
Carr	Harris	O'Bannon	Vacca	
Childs	Hawkins	Oden		—22

Nays:

Messrs.:	Cooper	Givhan	Pelham	
Branyon	Engel	Lolley	Turner	
Clark	Giles	McDermott		—10

BILLS ON THIRD READING RESUMED

The Bill:

S. 261. To amend Act #310, H. 148, Page 367, of the Regular Session of the Alabama Legislature, 1953.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nay 1.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Branyon	Givhan	McCarley	Radney	
Childs	Goodwyn	McDermott	Skidmore	
Clark	Harris	Morrow	Torbert	
Cooper	Hawkins	Nabors	Vacca	
				—23
Nay:	Mr. Albea			—1

The Bill:

S. 263. To require persons or owners to make affidavit as to the location of their legal residence upon registering and returning and assessing motor vehicles for ad valorem taxes; prescribing penalties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 17; Nays 9.

Yeas:

Messrs.:	Giles	McDermott	Pierce	
Albea	Gilmore	Morrow	Radney	
Bailes	Goodwyn	Nabors	Skidmore	
Childs	Harris	Pelham	Vacca	
Dominick	Hawkins			—17

Nays:

Messrs.:	Cooper	Lolley	Stone	
Adams	Givhan	McCarley	Torbert	
Clark	Lindsey			—9

MOTION TO RECONSIDER

Mr. Goodwyn moved that the Senate reconsider the vote by which it passed the Bill:

S. 201. To amend further Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 and by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953.

Which motion was adopted, and the Senate did reconsider said vote.

Mr. Goodwyn then offered the following substitute for the Bill, S. B. 201, to-wit:

SUBSTITUTE FOR S. B. 201

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws and parts of laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 and by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953.

Be It Enacted by the Legislature of Alabama:

That Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws and parts of laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953, be and the same is hereby further amended to read as follows:

Section 1. Definitions as used in this Act, and unless a different meaning appears from the context: (a) The term "Trust Institution" means any state bank, any national bank, or any trust company, authorized to act in a fiduciary capacity in this state, and under the supervision of the Comptroller of the Currency of the United States, or the Federal Reserve System, or the Banking Department of the State of Alabama. (b) The term "Fiduciary" means any trust institution or person acting in the capacity of executor, administrator, administrator with the will annexed, administrator de bonis non, guardian, testamentary trustee, trustee appointed by any court, and trustee, agent or custodian under any written agreement, declaration, or instrument of trust, either solely or together with others. (c) The term "Common Trust Fund" means a fund maintained by a trust institution, exclusively for the collective investment and reinvestment of moneys contributed thereto by the institution in its capacity as a fiduciary or co-fiduciary and established, maintained and administered pursuant to the requirements of this Act. (d) The term "Estate" or "Estates" as used in this section shall include any trust, estate or fund, administered by a trust institution in a fiduciary capacity. (e) The term "Participation" shall mean the interest of a participating trust in the common fund. (f) The term "Participant" shall mean any trust, estate or fund, administered by a trust institution in a fiduciary capacity having a "participation". (g) The term "Security" or "Securities" shall include all types of property in which the trust institution is authorized to invest the assets of the common trust fund.

Section 2. Any trust institution may establish, maintain and administer one or more common trust funds.

Section 3. Any trust institution in its capacity as fiduciary or co-fiduciary, whether such fiduciary capacity arose before or is created after this Act takes effect, may invest funds which it lawfully holds for investment in such capacity in interests or participations in one or more common trust funds, if such investment is not prohibited by the instrument, judgment, decree, or order creating the fiduciary relationship, and if, in the case of co-fiduciaries, the trust institution procures the consent of its co-fiduciary or co-fiduciaries to such investment.

Section 4. Each common trust fund shall be established and maintained in accordance with a written plan (referred to herein as the plan) approved by resolution of the Board of Directors of the trust institution and approved in writing by competent legal counsel. The plan shall provide that the common trust fund shall be administered under the laws of this State and of the United States, and in conformity with the rules and regulations promulgated from time to time under authority of such laws, and shall contain full and detailed provisions, not inconsistent with the provisions of this Act, as to the manner in which the common trust fund is to be operated, the investment powers with respect to the common trust fund, the allocation and apportionment of income, profits and losses, the terms and conditions governing the admission or withdrawal of investments or participations in the common trust fund, the auditing and settlement of accounts of the trust institution with respect to the common trust fund, the basis and method of valuing securities in the common trust fund, the basis upon which the common trust fund may be terminated, and such other matters as may be necessary to define clearly the rights of participants in the common trust fund. (A copy of the plan shall be available at the principal office of the trust institution for inspection during all regular business hours to any person having an interest in a participation in the common trust fund.) The plan may or may not provide for the amortization of the premium upon bonds or other obligations, the disposition of discounts and profits and the allocation of the same to principal or income accounts or the apportionment of the same between principal and income accounts, the establishment and maintenance of a reserve out of current interest from mortgage investments against which realized losses on mortgages may be charged, and other like matters. The provisions of the plan shall control all participations therein and the rights and benefits of all persons interested in such participations as beneficiaries or otherwise.

Section 5. The plan may be amended from time to time by the fiduciary with the approval of the Board of Directors of the trust institution. Any such amendment shall be filed with the original plan, together with a certified copy of the resolution of the Board of Directors of the trust institution approving the same.

Section 6. If the instrument under which a trust institution acts as fiduciary, whether such fiduciary capacity arose before or is created after this Act takes effect, shall either expressly or by its silence limit or restrict the investment of moneys of the estate and securities to the class authorized by law as legal investments, the trust institution may, in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity, invest and reinvest moneys of the estate in any such common trust fund maintained by the trust institution, provided, the securities composing such fund consist solely of securities of the class authorized as legal investments for funds held by a fiduciary. If the instrument under which the trust institution acts as fiduciary, whether such fiduciary capacity arose before or is created after this Act takes effect, shall authorize investments of moneys of the estate in a common trust fund or in investments other than those designated by law

as legal investments, or shall authorize the trust institution, either alone or in conjunction with any person acting with it in a fiduciary capacity, to exercise its or their discretion with respect to the investment of moneys of the estate, the trust institution may, in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity, invest and reinvest moneys of the estate in any such common trust fund maintained by it. Any such common trust fund consisting solely of moneys of estates contributed thereto by the trust institution pursuant to authority contained in any such instruments creating the fiduciary capacity to invest moneys of the estates in a common trust fund, or in investments other than legal investments, or pursuant to such discretionary powers with respect to the investment of moneys creating the fiduciary capacity, may be composed of investments other than those of the class designated by law as legal investments, for funds held by fiduciaries. In order to determine whether the investment of funds received or held by a trust institution as fiduciary in a participation in a common trust fund is proper, the trust institution may consider the common trust fund as a whole and shall not, for example, be prohibited from making such investment because any particular asset is non-income producing.

Section 7. The trust institution shall invest the moneys of an estate in such common trust fund, by adding the same thereto, and by apportioning a participation therein to such estate in the proportion that the moneys of the estate added thereto bears to the aggregate value of all the securities of such fund at the time of such investment, including in such securities the moneys of the estate so added. The withdrawal of a participation of such common trust fund shall be on the basis of its proportionate interest in the aggregate value of all the securities of such fund at the time of such withdrawal, as hereinafter provided. The participating interest of any estate in such common trust funds may, from time to time, be withdrawn in whole or in part by the trust institution, and shall be withdrawn within a period of three months following the written request so to do of any person acting with the trust institution in a fiduciary capacity. Funds for the purpose of any withdrawal shall be made promptly available by the trust institution through sale of securities of the common trust fund. Upon such withdrawals, the trust institution may make distribution in cash or ratably in kind, or partly in cash and partly in kind, provided that all such distribution as of any one time shall be made on the same basis.

Section 8. The trust institution shall designate clearly upon its records the names of the fiduciary accounts on behalf of which the trust institution, as fiduciary or co-fiduciary, owns a participation in the common trust fund, and the extent of the interest of such fiduciary accounts therein. No fiduciary account owning or holding an investment or participation in a common trust fund shall be deemed to have individual ownership of any asset in such common trust fund, but should be deemed to have only a proportionate undivided interest in the common trust fund.

Section 9. At least once during each period of twelve (12) months, the trust institution shall cause an audit to be made of the common trust fund by an auditor or auditors responsible only to the Board of Directors of the trust institution. The report of such audit shall include a list of the investments comprising the common trust fund at the time of the audit which shall show the valuation placed on each item as of the date of the audit, a statement of purchases, sales and any other investment changes and of all income and disbursements during the period to which the audit relates. The period of the first audit shall commence with the establishment of the common trust fund and each succeeding audit shall commence at the end of the period covering the preceding audit. The reasonable expense of any such audit may be charged to the common

trust fund and a copy of such audit shall be available at the principal office of the trust institution for inspection during all regular business hours to any person having an interest in a participation in the common trust fund. Provided that the trust institution shall be required to furnish a copy of such audit to any person having a share in the investments of the common trust fund without expense to such person should the interested person request a copy of such audit.

Section 10. No less frequently than once during each period of three (3) months, the trust institution administering a common trust fund shall determine the value of the securities in the common trust fund as of the dates set for the valuation thereof. No participation shall be admitted to or withdrawn from the common trust fund, except (i) on the basis of such valuation and (ii) as of such valuation date.

Section 11. The trust institution shall have the exclusive management and control of each common trust fund administered by it and the sole right at any time to sell, convert, exchange, transfer or otherwise change or dispose of the assets comprising the same. The ownership of such assets shall be solely in the trust institution as fiduciary and shall be considered as assets held by it as fiduciary. A trust institution shall not invest any of its own funds in a common trust fund administered by it and if the trust institution, because of a creditor relationship or any other reason, acquires any interest in a participation in such common trust fund, the participation shall be withdrawn on the first date on which such withdrawal can be effected; however, in no case shall an unsecured advance to a participant until the time of the next withdrawal be deemed to constitute the acquisition of an interest by the trust institution. A trust institution may charge a fee for the management of a common trust fund administered by it, provided that the fractional part of such fee proportionate to the interest of each participant shall not, when added to any other compensations charged by the trust institution to the participant, exceed the total amount of compensations which would have been charged to said participant if no assets of said participant had been invested in participations in the common trust fund.

Section 12. No mistake made in good faith and in the exercise of due care in connection with the administration of a common trust fund shall be deemed to be a violation of this Act or of any rules or regulations issued pursuant thereto if promptly after discovery of the mistake the trust institution takes whatever action may be practical in the circumstances to remedy the mistake.

Section 13. Nothing herein contained shall prohibit a trust institution, when it acts in accordance with specific authority contained in the instrument or instruments under which the trust institution acts, from establishing, maintaining, administering and investing in, without regard to the requirements and limitations of this Act, one or more common trust funds differing from the common trust funds expressly permitted by this Act.

Section 14. Unless ordered by a court of competent jurisdiction, a trust institution administering a common trust fund shall not be required to render a court accounting with regard to such fund, but it may file returns and make accountings in the same manner and for the same purposes as is provided by law for other fiduciaries.

Section 15. A common trust fund (whether established, maintained and administered pursuant to the requirements of this Act or established, maintained, administered and invested in without regard to the requirements and limitations of this Act, as provided in Section 13 of this Act) shall not be subject to taxation under any income tax law of the State of Alabama. Each participant having a participating interest in such

common trust fund, in computing its net income for state income tax purposes, shall include, whether or not distributed and whether or not distributable, (a) its proportionate share of any taxable net income or loss of such common trust fund, and (b) its proportionate share of any taxable gain or loss realized on the sale or exchange of property by such common trust fund. In reporting the share of such income or of such gains or losses on sale or exchange of property of such common trust fund, each participant shall show its proportionate part of each classification thereof which may for tax purposes be accorded different treatment so as to receive the same treatment as if such income or gains or losses had been realized directly by such participant. No gain or loss shall be realized by the common trust fund or by any other participant by the admission or withdrawal of a participant. The withdrawal of any participant shall be treated as a sale or exchange by such participant of the interest withdrawn, after adjustment of cost basis to reflect its proportionate part of gains or losses realized on the sale or exchange of property of the common trust fund previously reported by such participant. Every trust institution maintaining a common trust fund shall make a return under oath for each fiscal year, stating specifically with respect to such fund the items of gross income and the deductions allowed by law, and shall include in the return the names and addresses of the participants entitled to share in the net income of such fund and the amount of the proportionate share of each. If the fiscal year of the common trust fund is different from that of a participant, the inclusions with respect to the net income of the common trust fund, in computing the net income of the participant for its taxable year, shall be based upon the net income of the common trust fund for any fiscal year of the common trust fund ending within the taxable year of the participant.

Section 16. This Act is declared to be severable, and should any word, phrase, sentence, provision or section hereof be hereafter declared unconstitutional or otherwise invalid, the remainder of this Act shall not thereby be affected, but shall remain valid and in full force and effect for all intents and purposes.

Section 17. All laws or parts of laws which are inconsistent or in conflict with the provisions of this Act are hereby repealed.

Section 18. This Act shall become effective upon its passage by the Legislature and approval by the Governor, or its otherwise becoming law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham
Adams	Giles	Lolley	Pierce
Albea	Gilmore	McCarley	Skidmore
Bailes	Givhan	McDermott	Stone
Branyon	Goodwyn	Morrow	Torbert
Carr	Harris	Nabors	Turner
Childs	Hawkins	O'Bannon	Vacca
Clark			

—28

Nays:

—0

And said Bill, S. B. 201, as thus amended by the substitute, was again read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Pelham
Adams	Dominick	Jackson	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca

—31

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

S. 311. To authorize the Board of Commissioners of any incorporated municipality organized and operating under the provisions of Chapter 4, Article 1, Title 37, Code of Alabama 1940, as amended, which owns and operates a light and power system, a municipal water system, a municipal sewer system or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to authorize a municipal board or a municipal public corporation, operating in a municipality organized under the provisions of Chapter 4, Article 1, Title 37, Code of Alabama 1940, which owns or operates a municipal light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to fix his duties while so acting as superintendent, to pay additional compensation for his service as superintendent of such system or systems, and to validate the employment of and compensation paid to any Mayor or President of the Board of Commissioners for services heretofore rendered as superintendent of any such system or systems.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McCarley	Pierce
Albea	Goodwyn	McDermott	Skidmore
Bailes	Harris	Morrow	Stone
Branyon	Hawkins	Nabors	Torbert
Folsom	Jackson	O'Bannon	Turner
Giles	Lindsey	Pelham	Vacca
Gilmore	Lolley		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Collier:

H. 512. To alter, or re-arrange the boundary line of the City of Tallassee, Elmore and Tallapoosa Counties, Alabama, so as to include within the corporate limits of said City all territory now within the corporate limits and also certain other territory located in Elmore County, Alabama, and contiguous thereto.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE OF BILL

To be introduced in Alabama State Legislature at the Present Session.

Notice is hereby given that the City Council of the City of Tallassee, Alabama, will introduce in the present session of the Legislature of the State of Alabama the following proposed bill:

A BILL TO BE ENTITLED AN ACT

To alter, or re-arrange the boundary line of the City of Tallassee, Elmore and Tallapoosa Counties, Alabama, so as to include within the corporate limits of said City all territory now within the corporate limits and also certain other territory located in Elmore County, Alabama, and contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Tallassee, Elmore and Tallapoosa Counties, Alabama, be and the same are hereby altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within the present corporate limits the following described territory contiguous thereto as follows:

East One Half of Northeast Quarter of Section 24, Township 18 North, Range 21 East, Elmore County, Alabama.

Section 2. That all laws and parts of laws, general, local or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval of the governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Herve Charest, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Tallassee Tribune, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on March 16, March 23, March 30, and April 6, all in the year 1967.

HERVE CHAREST, JR.

Sworn to and subscribed before me June 28, 1967.

CATHERINE K. CHAREST,
Notary Public.

Also:

By Mr. Hill:

H. 574. To apply only in counties having populations of not less than 61,000 nor more than 65,000, providing additional compensation for official court reporters of the circuit court in such counties.

Also:

By Messrs. Culver, Brown and Bank:

H. 587. Relating to Tuscaloosa County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the game and fish fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the game and fish fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle, ammunition or other hunting equipment which has been or is used for illegal nighttime deer hunting in Tuscaloosa County shall be contraband, and, in the discretion of the circuit court of such county, may be forfeited to the State of Alabama, as hereinafter provided.

Section 2. The sheriff, any conservation officer, or any other person authorized to enforce the game and fish laws of this state who apprehends any person hunting deer in Tuscaloosa County in the nighttime, or who finds any vehicle which is being or has been used in such illegal nighttime hunting shall seize such vehicle and any gun, rifle, ammunition or other deer hunting equipment found in the possession of or on the person of such person or in or on such vehicle and shall report such seizure and the facts connected therewith to the district attorney or other

prosecuting official in the county. The report shall contain a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same, or any interest therein, if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances surrounding the seizing of the property.

Section 3. The district attorney or other prosecuting officer of the county upon receiving such report shall at once institute, or cause to be instituted, condemnation proceedings in the circuit court of Tuscaloosa County in equity, in the same manner that he is directed by law to institute proceedings for the condemnation and forfeiture of automobiles and other vehicles used in the illegal transportation of alcoholic beverages. Except as herein otherwise provided, the procedures for the condemnation, forfeiture and sale of motor vehicles and hunting equipment under this Act shall be governed in all things by and shall conform to the law relative to proceedings for the condemnation, forfeiture, and sale of vehicles used in the illegal transportation of alcoholic beverages. Without limiting the generality of the foregoing sentence the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249, shall apply to and govern all such proceedings.

Section 4. In order to condemn and confiscate any of the property set out in Section 1, it shall not be necessary for the district attorney or other prosecuting authority to prove possession of deer killed in the county while hunting in the nighttime or that the hunter be apprehended in the actual act of killing deer; but it shall be sufficient to prove possession upon the person or in the motor vehicle of a gun, rifle, ammunition and other equipment at such time and place and under such circumstances as would support a conviction for illegally hunting deer in the nighttime.

Section 5. The proceeds of the sale of any property condemned and forfeited to the state under authority of this Act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the state game and fish fund.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF TUSCALOOSA

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, March 15-22-29; April 5, 1967.

JACKIE D. OLIVER,
Legal Clerk.

Subscribed and sworn to before me on this the 13, day of July, 1967.

LILLA COLLINS,
Notary Public.

Also:

By Mr. Melton:

H. 597. To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. All purchases of supplies, labor, services, materials, equipment and other personal property for or on behalf of Conecuh County, or any of its officers, departments, agents, or instrumentalities, shall be made by the Board of Directors or other like governing body of the county, or its duly authorized agent, under such reasonable rules and regulations and procedures as the county governing body may prescribe, and such reasonable accounts, ledgers and journals of the purchases and of the several funds of the county shall be as directed by the county governing body. But written, sealed, competitive bids must be obtained on all proposed purchases or supply contracts when the amount involved is three hundred dollars or more. If the amount of the proposed purchase or supply contract is in excess of three hundred dollars, written notice by registered or certified mail, with return receipt requested, shall be given at least three suppliers. A copy of such notice or notices, together with the return receipts showing their delivery, must be filed in the records of the Board of Directors or other like county governing body. Copies of such notices with return receipts properly filed as directed shall be considered as evidence of compliance with this section.

Section 2. All bids received on proposed purchases or supply contracts shall be written and sealed and shall be opened publicly at the time and place stated in the invitation to bid. The supply contract or order shall be awarded to the responsible bidder making the lowest and best bid. All bids received, with the names of the bidders, shall be filed with the purchasing records of the Board of Directors or like county governing body. Each bid received and filed must have recorded upon its face whether accepted or rejected with the reasons for the award if not awarded to the lowest bidder. All bids and purchasing records shall be open to public inspection. In the event any equipment or property of the county is to be replaced by a proposed purchase, the invitation to bid must contain an offer to buy with the old or used equipment to be taken in trade. In making purchases for the county, the purchasing agent shall give preference to commodities produced or sold in Conecuh County; and a two per cent differential in price may be allowed resident vendors, pro-

vided there is no sacrifice or loss in quality, terms of delivery, or otherwise.

Section 3. The county purchasing agent may obtain information from the Division of Purchases and Stores, State Department of Finance, relative to the items to be purchased, and if the supply contract or proposed purchases can be negotiated at a price equal to or less than the state price, it shall be unnecessary to seek bids as provided in Sections 1 and 2, and the purchase may be made on the basis of the negotiated price. When purchases of supplies, materials, equipment, or other personal property are made under this section, the files of the purchase shall contain evidence verifying the purchase price to be equal to or below the state price.

Section 4. In an emergency a purchase involving more than three hundred dollars may be made without competitive bids and without obtaining information from the Division of Purchases and Stores, State Department of Finance. However, a full written account of the circumstances necessitating any such emergency purchase, together with the statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and filed in his office with the records of the purchase. Any emergency, as the term is used herein, means a situation where equipment, supplies and materials are needed immediately to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof, and the emergency repair or replacement of buildings, such as the court house, jail, or other county owned buildings, utilities and facilities that have been damaged by fire, windstorm, riot, subterfuge, sabotage, war or providential disaster or other disaster. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived also for purchases of perishable commodities, utility services, machinery repairs and parts, and commodities or services for which there is no competitive situation.

Section 5. Whoever purchases or attempts to purchase property for or on account of Conecuh County or any of its offices, departments, agencies, or instrumentalities, or attempts to sell or sells property to Conecuh County or any of its offices, departments, agencies, or instrumentalities, contrary to the provisions of this Act, or whoever violates any provision of this Act, is guilty of a misdemeanor and upon conviction shall be fined not less than one hundred nor more than one thousand dollars, and in addition may be imprisoned for not more than one year.

Section 6. The Board of Directors or other like county governing body of Conecuh County may employ and fix the compensation of its purchasing agent, provide the purchasing agent with offices, supplies, books, equipment, postage, transportation, assistants necessary for the proper and efficient conduct of his duties.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective on the first of the month following the month during which it is enacted.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1967.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 17, 1967.

HAROLD ADAMS,
Notary Public.

Also:

By Messrs. Bank, Culver, Brown and Fine:

H. 633. To provide for civil service regulations to govern employees of the state institution located at Tuscaloosa known as Hale Memorial Hospital.

Also:

By Messrs. Slate and Doss:

H. 644. To regulate the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Messrs. Slate and Doss:

H. 646. To apply only in counties having populations of not less than 57,000 nor more than 61,000 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Also:

By Messrs. Slate and Doss:

H. 647. To increase the compensation of each employee in the office of the clerk of the circuit court of every county having a population of not less than 57,000 nor more than 61,000; and to provide for the payment thereof.

Also:

By Messrs. Slate and Doss:

H. 648. Providing further for expense allowances for certain members of the governing bodies of counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Messrs. Slate and Doss:

H. 649. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census.

Also:

By Messrs. Burgess, Merrill and Lybrand:

H. 661. To amend Section 1 of Act No. 175, H. 460, Regular Session 1965 (Acts 1965, p. 246), an act providing further for the compensation and authority of coroners in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, so as to regulate further the compensation of the coroner and to provide two-way radio equipment for his use.

Also:

By Messrs. Foshee and Jackson (F):

H. 663. To amend Act No. 255, approved September 2, 1966 relating to Covington County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No 255 approved September 2, 1966 relating to Covington County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 255 approved September 2, 1966 relating to Covington County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations is hereby amended to read as follows:

"Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Covington County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the Treasury of Covington County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

"Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 3. All laws or parts of laws which conflict with this Act are repealed.

"Section 4. This Act of amendment shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Personally appeared before me, the undersigned authority Ed Dannelly Editor of The Andalusia Star-News who being duly sworn, says that the attached legal Notice of publication appeared in 4 successive

issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: June 22, June 29, July 6, and July 13 1967.

This the 17 day of July, 1967.

ED DANNELLY.

Sworn to and subscribed before me this 17 day of July, 1967.

LORA JONES,
Notary Public.

Also:

By Mr. Mays:

H. 665. To apply only in counties in the state having a population of not less than 33,000 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting place at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting place; and to provide election officers for each voting place designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 512, 574, 587, 597, 644, 646, 647, 648, 649, 661 and 665. To the Committee on Local Legislation No. 1.

H. B. 633. To the Committee on Public Health

H. B. 663. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Burgess:

H. 221. To amend Act No. 476, H. B. 8, approved August 20, 1965, (Acts 1965, v. 1, p. 686), an act defining and regulating the practice of physical therapy; providing for examination and licensing of physical therapists; providing for the appointment of a Board of Physical Therapy; providing for the enforcement of the provisions of this Act; and prescribing penalties and fees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 221. To the Committee on Public Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 379. To alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Also:

S. 387. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Also:

S. 424. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 46,500 nor more than 48,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

S. 425. To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county.

Also:

S. 438. Relating to Barbour County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Also:

S. 434. To amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, page 735).

Also:

S. 417. To apply only in counties having populations of not less than 15,500 nor more than 16,300; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stembridge and Crawford:

H. 674. To amend the following Sections of Act No. 103, approved June 18, 1953 (Acts of Alabama, 1953, Pages 145-154), to establish a City of Dothan Pension and Retirement System.

With notice and proof thereto attached and herewith exhibited as follows:

Notice Is Hereby Given That The Following Local Bill Will Be Introduced At The Next Session Of The Legislature Of The State Of Alabama

A BILL
TO BE ENTITLED
AN ACT

To Amend the following Sections of Act. No. 103, approved June 18, 1953 (Acts of Alabama, 1953, Pages 145-154), to establish a City of Dothan Pension and Retirement System.

Be It Enacted by the Legislature of Alabama:

Section 1. The following Sections of Act No. 103, approved June 18, 1953 (Acts of Alabama, 1953, Volume 1, Pages 145-154), to establish a City of Dothan Pension and Retirement System are hereby amended to read as follows:

"Section 4(3) (b). All amounts in excess of the amount protected by the Federal Depositors Insurance Corporation or similar plan by the Federal Government deposited in any bank or savings and loan association in any of the three (3) funds provided for herein shall be forthwith invested in bonds or securities which are direct obligations of the United States of America. All amounts deposited in any such bank or savings and loan association in excess of amounts required to pay monthly benefits shall be placed on deposit so as to draw interest. Interest and earnings from investments and deposits shall be deposited into the Retirement Fund."

"Section 5(1). CREDITABLE SERVICE. For the purpose of attainment of the period of service required for retirement under the provisions of this Act, the following conditions shall prevail and none other:

"1) All persons who are employees of the City of Dothan on the date of the enactment of this Act and who are members of the Alabama Employees Retirement System, shall receive credit for all prior service evidenced by Alabama Employees Retirement "System prior years certificates, and so long as membership continues, such prior service certificate shall be final and conclusive for retirement purposes as to such service credited prior to this Act, except that any such certificate found to be inaccurate as to actual prior service according to records in the City Clerk's Office may be amended by resolution of the governing body of the City with the concurrence of the Pension Board upon certification of the City Clerk as to the actual service prior to the City of Dothan's withdrawal from the Alabama Employees Retirement System any employee should have credit for."

Section 6 (3). Any employee-member who has attained the age of sixty (60) on his last birthday, and has served or accumulated a total of fifteen (15) years creditable service, may retire voluntarily for reasons of his own. Upon retirement under the provisions of this section, such employee shall receive as a retirement allowance the rest of his life, a sum payable from the Retirement Fund equal to the number of years creditable service accumulated multiplied by fifty percent (50%) of his average annual salary for the previous five (5) years and divided by thirty (30), payable in monthly installments, limited to Twenty-Four Hundred Dollars (\$2400) per annum.

"Any employee-member who has reached the age of sixty-five (65) years, and has accumulated at least ten years creditable service shall be retired forthwith, and upon proper application shall receive for the rest of his life as retirement allowance an annual sum payable from the Retirement Fund amounting to the number of years of creditable service accumulated, multiplied by fifty percent (50%) of the first Forty-Eight Hundred Dollars (\$4800) of his average annual salary for the five previous years, divided by thirty, payable in monthly installments. Provided however, that any employee-member sixty-five years of age or older may be continued "in employment from year to year at the discretion of the City governing body upon certification of his department head that he is satisfactorily performing his duties, and meets physical fitness requirements of other employees in comparable work."

"Section 6(5). Any member who, as a result of his employment, in line of duty or while discharging his duties, or in the performance of his duties, or as a result of hazardous assignment, and not the result of his own misconduct, shall become permanently and totally disabled to the extent that he cannot perform properly his former duties of employment or duties of a less strenuous nature, as an employee of the City of Dothan, shall be retired, which action shall be initiated by the head of his department, and shall receive the same retirement allowance as if he had served as an employee for twenty (20) years and became totally disabled as provided in Section 6(4) hereof. Provided, however, that such retired member shall submit to medical examinations hereinafter required. In the event an employee retired under this section shall be found mentally and physically capable of performing duties of a less strenuous nature, then such employee may, upon the concurrence of the Pension Board and the Governing Body, be employed in such capacity at the prevailing salary for such work as is provided by the City of Dothan Civil Service System. Upon the return to employment from retirement under this section, the period of retirement, together with all prior services shall be credited to such employee, in the ultimate attainment of full retirement or such portion thereof as may be earned under the provisions of this Act. Any such employee who returns to work or continues his employment in work of a less strenuous nature at a reduced rate of pay may be ultimately retired on the basis of his highest continuous five (5) years average "salary, limited to Forty-Eight Hundred Dollars (\$4800) per year, provided he shall, while employed at such reduced rate of pay, continue to pay to the system by payroll deduction five percent (5%) of the highest continuous five (5) years average salary, limited to Forty-Eight Hundred Dollars (\$4800) per annum. The City's contribution to the Pension Fund shall be at the same rate of 5%."

Section 9. PERPETUITY OF SYSTEM AND RELIEF OF MEMBERS ALREADY RETIRED.

"(1) At any time there is an insufficient amount in the Retirement Fund from the sources herein provided for to meet the retirement obligations of the system, the City shall appropriate a sufficient amount of its revenue available for general purposes to meet such Retirement Fund obligations as they are due each month.

"(2) For the purpose of additional relief and benefit to its employee-members retired through the Alabama Employees Retirement System prior to establishment of the City of Dothan Pension and Retirement System, the Pension Board may increase the benefits of such members retired through the Alabama Employees Retirement System by an amount not to exceed fifty percent (50%) of the amount such retired employee was receiving through the Alabama Employees Retirement System."

Section 2. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, June 19, 26, July 3, 10, 1967 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 10 day of July, 1967.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Hill and Haygood:

H. 677. To amend further Code of Alabama Title 7, Section 724, which relates to subscriptions for and filing of weekly newspapers by certain county officers, so as to make further provisions respecting counties having populations of not less than 61,000 nor more than 65,000 according to the most recent federal decennial census.

Also:

By Mr. Stubbs:

H. 684. To apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census, designating the number of employees authorized by the sheriff's department, compensation of such employees, and residence requirements of such employees, and to repeal conflicting laws.

Also:

By Messrs. Adwell, House, Crane, Sessions, Money, Jackson (T), Weeks, Holman, Bowers, Meeks, Ellis, Waggoner, Watkins and Gloor:

H. 629. To further amend Sections 5, 12, 16, 18 and 25 of an Act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended, relating to creating and establishing in counties having a population of 400,000 inhabitants or more according to the last or any future federal census, a county-wide civil service system.

Also:

By Mr. Hardin:

H. 596. To provide the tax assessors of counties having populations of not less than 24,525 nor more than 24,675 an allowance for clerical assistance, such allowance to be payable out of the general funds of the county.

Also:

By Messrs. Pruitt and Manley:

H. 541. To create a board of trustees to manage and control Livingston State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Livingston State College of all supplies, funds, books, documents, records and other property or effects of such college.

Also:

By Messrs. Bassett and Hardin:

H. 503. To create a board of trustees to manage and control Troy State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Troy State College of all supplies, funds, books, documents, records and other property or effects of such college.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 674, 677, 684, and 596. To the Committee on Local Legislation No. 1

H. B. 629. To the Committee on Local Legislation No. 2

H. B.'s 541 and 503. To the Committee on Public Buildings and Grounds

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 20. Relating to driver training schools, providing for their licensing and licensing of an instructor of a school and qualifications, insurance requirements, bond requirements, the renewal of their licenses,

determining the registration fees and disposition of the moneys received, and providing for penalties for violation thereof.

Also:

S. 234. To provide for a long range study of public education in Alabama, creating the Alabama Education Study Commission, and making an appropriation therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Laxson, Snodgrass, Pennington, Holladay, Brannan, Owen (Baldwin), Shumate, Melton, Smith (P), Beck, Berryman (R) and Malone:

H. 614. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

Also:

By Messrs. Weeks, Watkins, Kilgore, Bank and Bowers:

H. 247. To amend Section 3 of Act No. 712, H. 48, Regular Session 1951 (Acts 1951, p. 1250), an Act to create a State Bureau of Publicity and Information so as to provide further for the composition of the advisory board.

Also:

By Messrs. Merrill, Hain, Bank, Hobbie, Headley, Burgess, Owens (W.E.), Downing, Watkins, Culver, Harper, Smith (C), Lybrand, Turnham, Owen (Baldwin), Agee, Higginbotham, Springer, Brassell, Crawford, Meade, Bolton, McElhaney, Pennington, Drake, Jackson (T), Sessions, Cook (Jefferson), Waggoner, Money and Blanton:

H. 465. To amend Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955) an act regulating the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology, so as to regulate further such teaching and practices and the registration and license fees therefor.

Also:

By Messrs. Bank, Fite, Culver and Brown:

H. 350. To authorize the State Board of Health to charge a fee to persons receiving home health services and to waive said fee for the medically indigent; to require said fees to be paid into the State treasury in a special fund and to appropriate all of said fund to the Board of Health for use in the county from which said fee was collected and for operating a home health service.

Also:

By Messrs. Bank, Culver and Brown:

H. 312. To provide for auditing periodically the books, accounts, vouchers, and records of district tuberculosis sanatoria and district tuberculosis sanatorium authorities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 614. To the Committee on Privileges and Elections

H. B.'s 247 and 312. To the Committee on Public Buildings and Grounds

H. B. 465. To the Committee on Judiciary

H. B. 350. To the Committee on Public Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Pruitt, Owen (Baldwin), McDonald, Agee, Pennington and Ellis:

H. 560. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 560. To the Committee on Finance and Taxation

ADJOURNMENT

At 2:45 P. M., on motion of Mr. Adams, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 1, 1967, at 2 o'clock P. M.

TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, AUGUST 1, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles M. Langford, Assistant Minister, First Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fourth Legislative Day was approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 60. Requesting that Stokely Carmichael be denied readmittance to this country.

Also:

S. J. R. 61. Expressing sympathy to the family of Lance Corporal William Edward Murff who was killed in Vietnam.

Also:

S. J. R. 62. Commending Mr. Ralph L. Smith for his discerning generosity.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 20. Relating to driver training schools, providing for their licensing and licensing of an instructor of a school and qualifications, insurance requirements, bond requirements, the renewal of their licenses, determining the registration fees and disposition of the moneys received, and providing for penalties for violation thereof.

Also:

S. 234. To provide for a long range study of public education in Alabama, creating the Alabama Education Study Commission, and making an appropriation therefor.

Also:

S. 379. To alter, rearrange and extend the boundary lines of the City of Gadsden, Alabama in Etowah County, Alabama, so as to include within the corporate limits of said City certain property therein set out and described.

Also:

S. 387. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Also:

S. 417. To apply only in counties having populations of not less than 15,500 nor more than 16,300; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

S. 424. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 46,500 nor more than

48,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

S. 425. To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county.

Also:

S. 434. To amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, page 735).

Also:

S. 438. Relating to Barbour County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 513. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 109,000 nor more than 116,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Dominick:

S. 514. To propose an amendment to the Constitution of Alabama respecting the selection and tenure of judges of courts of record.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Morrow:

S. 515. To amend Title 24, Section 18, Code of Alabama, 1958, by making it a felony to obtain by fraud, deceit or misrepresentation, any services, food or lodging from any hotel, motel or boarding house in Alabama.

Committee on Judiciary.

By Mr. Givhan:

S. 516. Relating to crimes and offenses involving motor vehicles; making it a felony for a person to throw or shoot a deadly or dangerous missile into an occupied motor vehicle and prescribing the punishment therefor.

Committee on Judiciary.

By Mr. Givhan:

S. 517. To rescind and revoke membership of the State of Alabama in the United Nations and the specialized agencies thereof, and for other purposes.

Committee on Judiciary.

By Mr. McCarley:

S. 518. To apply only in counties having populations of not less than 18,000 nor more than 19,000; making further provisions respecting the number and employment of deputies and assistants for the sheriff's department, and to repeal conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 519. To apply only in counties having populations of not less than 65,000 nor more than 95,000; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

Committee on Local Legislation No. 1.

By Mr. Hawkins:

S. 520. To amend Section 486 of Title 51, Code of Alabama 1940, Recompiled 1958, which levies a license on circuses.

Committee on Finance and Taxation.

By Mr. Turner:

S. 521. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political sub-divisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

Committee on Finance and Taxation.

By Mr. Turner:

S. 522. To make an appropriation to the State Military Department.

Committee on Finance and Taxation.

By Messrs. Engel and McDermott:

S. 523. To amend further Code of Alabama 1940, Title 2, Section 606, in relation to the size of bottles or other containers used for the sale of milk or cream.

Committee on Agriculture.

By Messrs. McDermott and Engel:

S. 524. To further amend Section 1 of Act 467, Acts of Alabama, 1963, Volume 2, page 1019, an Act providing for Supernumerary Circuit Solicitors of the State.

Committee on Finance and Taxation.

By Mr. Adams:

S. 525. To provide for the appointment of Deputy District Attorneys for Houston County, Alabama, to re-designate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the appointment of Deputy District Attorneys for Houston County, Alabama, to re-designate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of County Solicitor or Deputy Solicitor of Houston County, Alabama, shall be abolished.

Section 2. The offices of Deputy District Attorney No. 1 and the Deputy District Attorney No. 2 of Houston County, Alabama, are hereby created in lieu of the present office of County or Deputy Solicitor. The two Deputy District Attorneys of Houston County, Alabama, No. 1 and No. 2, shall be appointed by and shall serve at the pleasure of the District Attorney of the 20th Judicial Circuit. Each Deputy District Attorney must be a resident of Houston County, Alabama. Each Deputy District Attorney must be qualified by the Courts of this State for the practice of law, but he shall not be subject to the provisions of Subsection 12 of Section 229, Title 13, Code of Alabama 1940.

Each Deputy District Attorney shall perform such duties and exercise such authority as may be prescribed by law pertaining to duties and authority of Deputy or County Solicitors, and by the District Attorney of the 20th Judicial Circuit.

Section 3. The salary of Deputy District Attorney No. 1 shall be fixed by the District Attorney of the 20th Judicial Circuit at a sum not to exceed \$4800.00 per annum, payable out of the County Treasury of said County in equal monthly installments, as provided by law for the payment of salaries out of the General Fund of said County. The salary of Deputy District Attorney No. 2 shall be fixed by the District Attorney of the 20th Judicial Court at a sum not to exceed \$2400.00 per annum, payable out of the County Treasury of said County in equal monthly installments, as provided by law for the payment of salaries out of the General Fund of said County.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective October 1, 1967.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of The Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said newspaper on June 29, 1967, July 6, 1967, July 13, 1967 and July 20, 1967.

WALLACE MILLER.

Sworn to and subscribed before me this 28 day of July, 1967.

GLENDIA JEAN POWELL,
Notary Public.

By Messrs. Giles, Lolley, Harris, Carr, Skidmore, Jackson, Engel, McDermott, Vacca, Gilmore, Nabors, Radney and Leonard:

S. 526. Proposing an amendment to the Constitution of Alabama levying and providing for the collection and distribution of an additional tax on gasoline and motor fuels to be in lieu of all local tax levies on such gasoline and motor fuels, including kerosene, and ordering an election thereon.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Turner:

S. 527. To amend Code of Alabama 1940, Title 22, Sections 20 and 37; further regulating the bureau of vital statistics in the state health department; designating the state registrar of vital statistics as the chief executive officer of such bureau; providing for the appointment, compensation, authority, duties and responsibilities of such registrar; providing for clerical and other assistants; providing for office facilities, budget and official certificate forms.

Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill and returns same herewith to the Senate:

S. 319. To amend further Act No. 283, H. 561, Regular Session 1955, which provided for the establishment of a solicitor's fund for the solicitor of the sixth judicial circuit (Acts 1955, v. 1, p. 649).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 319, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 319

Local Legislation No. 1 Committee:

In Section 1, strike out the paragraph beginning with the figures S 2. and insert in lieu thereof the following:

S 2. Said funds shall be deposited in any bank in the Sixth Judicial Circuit of Alabama which is an approved depository of public funds of the county composing such circuit, as hereinafter provided, and shall be payable upon the order of the Circuit Solicitor of the Sixth Judicial Circuit of Alabama; provided, that when a total of \$1,000 has been expended from the fund in any fiscal year, all subsequent expenditures therefrom during the remainder of that year must be approved in writing by the presiding judge and one associate judge of the Sixth Judicial Circuit.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill and returns same herewith to the Senate:

S. 230. To alter, rearrange and extend the boundary lines and corporate limits of the town of Camden in Wilcox County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 230, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 230

Local Legislation No. 1:

In Section 1, eighth paragraph, strike out the words and figures "Range 8 East" and insert the words and figures "Range 7 East"

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Nabors	
Adams	Engel	Lindsey	Pelham	
Albea	Foisom	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Blanton:

H. 39. Relating to required coverage in motor vehicle liability insurance policies or contracts issued or delivered in this State; requiring all such policies or contracts of insurance to include, at the option of the insured, a provision insuring payment to the insured of such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 332. Relating to public education; authorizing and providing for the acquisition, operation, and maintenance of Snead Junior College as a state educational institution, and making an appropriation in furtherance of such purpose.

Also:

By Mr. Grayson:

H. 375. Relating to crimes and offenses; making it a misdemeanor to possess ingredients for assembling or manufacturing fire bombs with intent to manufacture such bombs; making the manufacture, distribution, use, or possession of fire bombs a felony; prescribing penalties.

Also:

By Messrs. Hogan, Downing and Watkins:

H. 121. To amend Code of Alabama 1940, Title 7, Sections 727, 728, 729, 735, 737 and 739 for the purpose of regulating further the period in which real estate or any interest therein, which has been sold under the power of sale in a deed of trust or mortgage, may be redeemed.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 39, 375 and 121. To the Committee on Judiciary.

H. B. 332. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 65. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby salute The Honorable Louis J. Compton who will retire on August first after many years of able and conscientious service as Recorder of the City of Auburn. The wisdom, justice and impartiality with which he discharged the business of this city court has been outstanding. Judge Compton, a retired Colonel of the United States Army, is an eminent civic and religious leader in his community. His many contributions to Alabama, to the Nation and particularly to the City of Auburn are hereby noted with gratification.

BE IT FURTHER RESOLVED That it is the sincere wish of this body that Colonel Compton may enjoy for many years to come the benefits and pleasures that accompany retirement.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 65, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Brown:

H. J. R. 64. WHEREAS, the Honorable Luther Davis, Sr., of Tuscaloosa, Alabama, will retire from the drug business on July 31, 1967, after having been in the drug business in Tuscaloosa since September 12, 1901; and,

WHEREAS, Mr. Davis served the City of Tuscaloosa as City Commissioner from 1926 to 1931, and as President of the City Commission, carrying with it the title of Honorary Mayor from 1931 to 1949; and,

WHEREAS, the kindly disposition and friendly attitude of Mr. Davis over the years has created for him countless thousands of friends both in Tuscaloosa and over the entire State of Alabama, Mr. Davis over the years having been exceptionally kind and friendly with students at the University of Alabama; and,

WHEREAS, Mr. Davis is the father of one son, Dr. Luther Davis, Jr., a staff physician at University Hospital; and,

WHEREAS, Mr. Davis has all the social qualities of a true old fashioned southern gentleman, and is dearly beloved by the people of Tuscaloosa, all of whom regret to see him go out of the drug business after so many years.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring, that this legislature does congratulate the Honorable Luther Davis, Sr. on his retirement from so many years of service to the City of Tuscaloosa and to all of humanity with whom he has come in contact.

BE IT FURTHER RESOLVED by this legislature that the Honorable Luther Davis, Sr. be given the title of Honorary Mayor of the City of Tuscaloosa for the remaining years of his life.

BE IT FURTHER RESOLVED that we do wish for him many, many years of good health and happiness in his retirement.

BE IT FURTHER RESOLVED that a copy of this Resolution signed by the Speaker of the House, the Lieutenant Governor and the Governor of Alabama be presented to the Honorable Luther Davis, Sr.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 64, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Brown, Bank and Culver:

H. J. R. 63. WHEREAS Miss Clara Verner, of Tuscaloosa, who for nearly half a century had been prominently engaged in educational work as a teacher, principal and guidance director passed away last night after a brief illness in Druid City Hospital; and

WHEREAS Miss Verner taught for many years at the old Stafford School and was principal of Tuscaloosa Senior High School for twenty-seven years before she was made guidance director for the school system in 1946, in which capacity she served with effectiveness and understanding prior to her retirement in 1952; and

WHEREAS Miss Verner had been cited by the Tuscaloosa Civitan Club as Woman of Achievement for service rendered to the community over a long period of years in many varied fields. She had served as chairman of the Tuscaloosa County cancer drive; district director of District Six of the Alabama Federation of Womens Clubs; president of the Alabama Association of Principals of Secondary Schools; president of the Beta Chapter of Delta Kappa Gamma; and had held various offices in the Pilot Club, her study club and the womens organization of the First Presbyterian Church. She wrote many articles for state and national magazines and played a leading role in securing passage of legislation providing minimum retirement benefits for all teachers who have served in Alabama schools for over thirty years and who are not fully covered by social security; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Miss Verner who spent her life in service to others and whose influence will long be felt throughout her community and this State. We extend our deep and sincere sympathy to her sister, Miss Mary Verner and to her brother, Mr. John Verner of Tuscaloosa, to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 63, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Stubbs:

H. 684. To apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census, designating the number of employees authorized by the sheriff's department, compensation of such employees, and residence requirements of such employees, and to repeal conflicting laws.

By Messrs. Hill and Haygood:

H. 677. To amend further Code of Alabama Title 7, Section 724, which relates to subscriptions for and filing of weekly newspapers by certain county officers, so as to make further provisions respecting counties having populations of not less than 61,000 nor more than 65,000 according to the most recent federal decennial census.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 674. To amend the following Sections of Act No. 103, approved June 18, 1953 (Acts of Alabama, 1953, Pages 145-154), to establish a City of Dothan Pension and Retirement System.

By Mr. Mays:

H. 665. To apply only in counties in the state having a population of not less than 33,000 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting place at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting place; and to provide election officers for each voting place designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Messrs. Burgess, Merrill and Lybrand:

H. 661. To amend Section 1 of Act No. 175, H. 460, Regular Session 1965 (Acts 1965, p. 246), an act providing further for the compensation and authority of coroners in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, so as to regulate further the compensation of the coroner and to provide two-way radio equipment for his use.

By Mr. Harris:

S. 443. Relating to counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census, fixing the fee for issuance of pistol permits by the sheriff, providing for the deposit of such fees in a fund to be designated the Law Enforcement Fund, and providing for the use of such fund.

By Mr. Giles:

S. 502. To provide, in any county of the State of Alabama having a population of not less than 115,000 or more than 160,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from State, county and city taxation.

By Mr. Giles:

S. 503. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 170,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

By Mr. Givhan (with notice and proof):

S. 506. To repeal Act No. 301, approved June 26, 1931, entitled, "An Act to provide for a special election to be held in Perry County, Alabama, to determine whether the County Superintendent of Education shall be elected by the qualified voters of Perry County, to further provide for the time and manner of his election, and, to fix his term of office and salary; and to prescribe his qualifications".

By Mr. McCarley (with notice and proof):

S. 507. Relating to Autauga County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Autauga County; and providing for a referendum.

By Mr. McCarley (with notice and proof):

S. 508. To abolish the Board of Revenue of Autauga County and to create in lieu thereof the Board of Revenue and Control; to name and designate the chairman and first members of the board created herein and to provide for the election of their successors; to define the authority, powers and duties of the board and to prescribe the qualifications, terms and compensation of its members; to repeal conflicting laws including Sections 1, 5 and 6 of Act No. 222, H. 317, approved January 27, 1879 (Acts 1878-1879, p. 248), an act establishing the Board of Revenue of Autauga County and all amendatory acts thereto, and Act No. 110, S. 235, approved January 28, 1891 (Acts 1890-1891, p. 252), an act providing for the election of the Board of Commissioners of Autauga County, and Act No. 81, H. 329, approved July 7, 1947 (Local Acts 1947, p. 58), authorizing a contingent fund; and to provide for a referendum.

By Messrs. Stembbridge and Crawford (with notice and proof):

H. 338. To further amend Act No. 11, S. 88, Regular Session 1957, an act providing for deputies, clerks, and other assistants of certain officers of Houston County, Alabama; regulating the compensation of such deputies, clerks and assistants.

By Messrs. Starnes, Drake and McDonald (with notice and proof):

H. 373. Relating to Marshall County; providing deputies and other assistants for the sheriff, fixing their compensation, and repealing conflicting laws.

By Messrs. Slate and Doss:

H. 646. To apply only in counties having populations of not less than 57,000 nor more than 61,000 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

By Messrs. Stembbridge and Crawford (with notice and proof):

H. 419. To extend, alter, and rearrange the boundary lines and corporate limits of the town of Cowarts, Houston County, Alabama.

By Messrs. Hill and Haygood (with notice and proof):

H. 430. Relating to Lauderdale County: To provide further for the distribution of fines and forfeitures in certain cases.

By Messrs. Hill and Haygood (with notice and proof):

H. 431. Providing for permissive change in the basis of compensating the coroner of Lauderdale County, authorizing the governing body of such county to put such officer on a salary basis in lieu of fees, commissions, percentages and allowances as prescribed by law and providing that such salary shall be paid out of the general fund of the county.

By Mr. Steagall:

H. 561. Regulating the compensation of election officers in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

By Messrs. Hill and Haygood (with notice and proof):

H. 432. To repeal Act No. 654, H. 1049, approved September 20, 1957, entitled "An Act Providing for the permissive change in the basis of compensating coroners of all counties having a population of not less than 53,000 nor more than 56,200 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of all such counties to place such officers on a salary in lieu of all fees, commissions, percentages and allowances prescribed by law for the performance of such duties; prescribing that such salary shall be paid out of the general fund of the county."

By Mr. Collier (with notice and proof):

H. 512. To alter, or re-arrange the boundary line of the City of Tallassee, Elmore and Tallapoosa Counties, Alabama, so as to include within the corporate limits of said City all territory now within the corporate limits and also certain other territory located in Elmore County, Alabama, and contiguous thereto.

By Messrs. Hill and Haygood:

H. 530. To provide for an appeal from any decision of a Civil Service Board in cities having a population of not more than 33,000 nor less than 31,500 according to the most recent federal decennial census.

By Mr. Melton (with notice and proof):

H. 597. To regulate the purchase of supplies, materials, equipment, and other personal property for or on behalf of Conecuh County or any of its officers, departments, agents, or instrumentalities; providing for competitive bidding on certain purchases and prescribing penalties.

By Mr. Steagall:

H. 562. To fix the compensation of the deputy sheriffs in counties having populations of not less than 31,000 nor more than 32,000.

By Mr. Hill:

H. 574. To apply only in counties having populations of not less than 61,000 nor more than 65,000, providing additional compensation for official court reporters of the circuit court in such counties.

By Messrs. Culver, Brown and Bank (with notice and proof):

H. 587. Relating to Tuscaloosa County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the game and fish fund.

By Mr. Hardin:

H. 596. To provide the tax assessors of counties having populations of not less than 24,525 nor more than 24,675 an allowance for clerical assistance, such allowance to be payable out of the general funds of the county.

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

S. 313. To amend Act No. 93, H. 102, Second Special Session 1963, an act providing for and creating the Alabama Trade School and Junior College Authority.

By Messrs. Folsom, Lolley, Adams and Giles:

S. 454. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adwell et al (with notice and proof):

H. 630. Altering, re-arranging, and extending the boundaries of the City of Pleasant Grove, Jefferson County.

By Mr. Gafford et al:

H. 566. To fix the compensation of election officers in all general, special, municipal and primary elections held in counties which now have, or which may hereafter have, a population in excess of 500,000 according to the last or any subsequent Federal decennial census.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Weeks et al:

H. 247. To amend Section 3 of Act No. 712, H. 48, Regular Session 1951 (Acts 1951, p. 1250), an Act to create a State Bureau of Publicity and Information so as to provide further for the composition of the advisory board.

By Messrs. Bank, Culver and Brown:

H. 312. To provide for auditing periodically the books, accounts, vouchers, and records of district tuberculosis sanatoria and district tuberculosis sanatorium authorities.

By Mr. Clark:

S. 509. To protect peace officers from personal abuse or assault while engaged in performance of duties, and to prescribe a penalty for abuse or assault upon such peace officers.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 555. To amend further Act No. 608, H. B. 700, Regular Session 1951, an act establishing a retirement fund and pension system for policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), and giving the amendment retroactive effect.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dill et al (with substitute):

H. 140. To apply only in counties having populations of not less than 600,000 according to the most recent federal decennial census, providing for an associate judge of probate for each of such counties, prescribing the powers, authority, duties, and compensation of such judge of probate and providing for his tenure, election or appointment; and to further regulate the office of judge of probate and Probate Court in such counties.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Skidmore:

S. 345. To amend Chapter 2 of Title 17 of the 1940 Code of Alabama, as Amended, to authorize the holding of a presidential preferential primary, to authorize the making of rules governing such preferential primary, and providing for the time for holding such preferential primary, the ballot to be used in such preferential primary and the payment of expenses of such preferential primary.

RESOLUTIONS

Mr. Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 63. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Fine Arts Building at Jefferson State Junior College shall be named and designated the Lurleen Burns Wallace Hall in honor of the distinguished Governor of the State.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 64. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Science Building be named for Austin R. Meadows, State Superintendent of Education at the time Jefferson State Junior College was founded.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 65. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Humanities Building at Jefferson State Junior College shall be named for H. Y. Carson, a generous benefactor of Jefferson State Junior College.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Torbert offered the following Senate Joint Resolution, to-wit:

S. J. R. 66. WHEREAS Miss Betty Hines, recent graduate of Lafayette High School who plans to attend the University of Alabama, is the top girl automobile driver in Alabama; and

WHEREAS Miss Hines, who is the daughter of our former colleague, Senator W. C. Hines and of Mrs. Hines of Lafayette, won the girls division of both the Chattahoochee Valley District safe driving contest and the state contest held at Cullman in April, and has won the right to participate in the National Jaycee Safe Driving Road-e-o being held at Ann Arbor, Michigan, July 29th-August 4th, where the Jaycees and the Lincoln-Mercury Division of the Ford Motor Company will be hosts to fifty-two boys and fifty-two girls competing from fifty states, Washington, D. C., and Puerto Rico; and

WHEREAS national winners in both the boys and girls divisions of these contests, which consist of written tests and tests of driving proficiency and skill over an obstacle course, will be awarded college scholarships and a year's free use of a Cougar automobile; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend Miss Hines for the proficiency and skill she has exhibited in these safe driving contests and we wish her every success in winning the national contest in progress at Ann Arbor.

RESOLVED FURTHER that copies of this resolution be sent to Miss Hines and to the United States Junior Chamber of Commerce, which is commended for its interest in and promotion of driving safety.

On motion of Mr. Torbert, the Rules were suspended and the Resolution was adopted by the Senate.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 67. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Twenty-fifth Legislative Day only:

H. B. 25, Page 59

H. B. 23, Page 56

H. B. 27, Page 57

H. B. 30, Page 58

H. B. 28, Page 57

H. B. 34, Page 57

H. B. 26, Page 58

H. B. 24, Page 59

H. B. 33, Page 61

H. B. 29, Page 60

H. B. 32, Page 61

H. B. 397, Page 61
 H. B. 398, Page 62
 H. B. 399, Page 62
 H. B. 396, Page 64
 S. B. 102, Page 68

MOTION TO RECONSIDER

Mr. Albea moved that the Senate reconsider the vote by which the Bill:

S. 263. To require persons or owners to make affidavit as to the location of their legal residence upon registering and returning and assessing motor vehicles for ad valorem taxes; prescribing penalties.

was passed on the Twenty-Fourth Legislative Day, and further moved that the motion to reconsider be postponed until the next Legislative Day.

Upon request for a division, Mr. Albea then moved that the motion to reconsider be postponed until the next Legislative Day. On motion of Mr. McDermott, the motion to postpone was laid on the table.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Gilmore	Morrow	Pierce
Bailes	Harris	Nabors	Skidmore
Childs	Hawkins	O'Bannon	Torbert
Dominick	McDermott	Pelham	Vacca
Engel			

—16

Nays:

Messrs.:	Carr	Givhan	McCarley
Adams	Clark	Jackson	Stone
Albea	Cooper	Leonard	Turner
Branyon	Folsom	Lindsey	

—14

The question was then on the motion to reconsider the vote by which the Bill, S. B. 263, was passed. Mr. McDermott moved that the motion to reconsider be laid on the table, which resulted in a tie vote.

Yeas 15; Nays 15.

Yeas:

Messrs.:	Engel	McDermott	Pelham
Bailes	Gilmore	Morrow	Pierce
Childs	Harris	Nabors	Skidmore
Dominick	Hawkins	O'Bannon	Vacca

—15

Nays:

Messrs.:	Carr	Givhan	Lolley
Adams	Clark	Jackson	McCarley
Albea	Cooper	Leonard	Stone
Branyon	Folsom	Lindsey	Turner

—15

The President and Presiding Officer of the Senate voted "Aye"; therefore the motion to table prevailed.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 230. To alter, rearrange and extend the boundary lines and corporate limits of the town of Camden in Wilcox County.

Also:

S. 319. To amend further Act No. 283, H. 561, Regular Session 1955, which provided for the establishment of a solicitor's fund for the solicitor of the sixth judicial circuit (Acts 1955, v. 1, p. 649).

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

FURTHER CONSIDERATION OF S. R. 67

The Senate proceeded to further consideration of the Resolution, S. R. 67.

Mr. Skidmore offered the following substitute for the Resolution, S. R. 67, to-wit:

SUBSTITUTE FOR S. R. 67

Resolved by the Senate that the following bills shall be the paramount and continuing order of business for the 25th Legislative Day only:

All local bills and general bills of local application

H. B. 403, Page 21

H. B. 402, Page 21

S. B. 24, Page 1

S. B. 25, Page 2

H. B. 220, Page 8

S. B. 361, Page 12

S. B. 391, Page 17

S. B. 421, Page 19

S. B. 444, Page 34

S. B. 445, Page 33

S. B. 446, Page 34

S. B. 447, Page 35

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 292. To apply only in all counties of this state having not less than 34,000 nor more than 35,500 population according to the last or any subsequent federal decennial census, prohibiting the taking, catching, capturing or killing game or non-game fish by use of a gill net or a trammel net in public waters in such counties.

Also:

S. 333. Relating to Cullman County authorizing any bank situated in the City of Cullman, or having an authorized place of business therein, to open, establish, operate and maintain a branch bank, branch office, or additional place of business in the City of Cullman, in said county.

Also:

S. 396. To amend further Section 2 of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

Also:

S. 431. To authorize the Dallas County Court of County Revenues to appropriate and use certain County Funds and to designate and use certain County property, buildings and facilities in order to qualify for and receive Federal assistance under the Federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Also:

S. 432. Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

Also:

S. 442. To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Watkins, Holman, Dill, Kilgore, Jackson (T), Money, House, Crane, Bowers, Yeilding, Waggoner, Cherner, Ellis, Gafford, Weeks and Meeks:

H. 711. To apply only in counties having populations of 600,000 or more, relieving the probate judges of such counties from publication in newspapers of lists of qualified electors and providing that such list shall not be published at the expense of the county.

Also:

By Messrs. Adwell, Dill, Kilgore, Jackson (T), Money, Cook (Jefferson), House, Sessions, Holman, Crane, Waggoner, Bowers, Yeilding, Gloor, Cherner, Ellis, Gafford, Weeks and Meeks:

H. 713. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966, An Act providing for creation of special districts for fire prevention, garbage disposal and other purposes in Jefferson County (Acts, Special Session 1966, p. 106).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply for adoption of the following law by the Legislature of Alabama at its regular session for 1967:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 79 of the special session of the Legislature of Alabama of 1966, Approved August 17, 1966.

Be It Enacted by the Legislature of Alabama:

Section 1.

Section 7 of Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966, is hereby amended so as to read as follows:

Section 7. As used herein the following terms shall have the meanings hereby ascribed to them: The term "district" means and includes a district for fighting fires, a district for garbage disposal or a district for fighting fires and garbage disposal; the term "proposed district" means an area for which it is proposed that there be established a district; the term "proposed area" means an area which it is proposed be brought within a district by enlargement of the district; and the term "fire station" means and includes the following: (a) a fire station maintained in a district; or (b) a fire station within a proposed district being maintained and operated at the time the petition for an election on the proposed district is filed in the office of the Probate Judge.

Not more than thirty-five days and not less than twenty days before any election is held under the Act the Probate Judge shall publish one time a notice thereof in a newspaper of general circulation in the territory where the election is to be held. The notice shall state the following: (1) the date of the election; (2) the question or questions to be submitted at the election; (3) a recital that the description of the proposed district or proposed area has been filed in the office of the Probate Judge of Jefferson County, Alabama, if the election is on a proposed district or a proposed area; (4) a recital that a description of the proposed district or

proposed area has been posted in each fire station, and a recital of the location of any such fire station, if there is a fire station and if the election is on a proposed district or a proposed area; (5) a recital that the proposed service charge has been filed in the office of the Probate Judge of Jefferson County, Alabama, if the election is on levying a service charge; and (6) a recital that the proposed service charge has been posted in each fire station and a recital of the location of such fire station, if there is a fire station and if the election is on levying a service charge.

The notice published by the Probate Judge shall not be required to contain a legal description or metes and bounds description of any proposed district or proposed area. Such notice shall refer to any existing district by name and to any proposed district by the name of the proposed district stated in the petition for the election.

For the purpose of giving such notice the Probate Judge shall be authorized to accept the assurance given to him by one or more persons filing the petition that the description of the proposed district or the proposed area, or the proposed service charge, has been posted in the fire station, or fire stations, as required hereby. Such assurance shall be written, or typed, and shall be over the signature of a person having personal knowledge that the description of the proposed district or proposed area or the proposed service charge has been posted in a conspicuous place in the fire station or fire stations. The notice of an election on levying a service charge shall not be required to set forth in full the proposed ordinance or regulation levying the charge; but it will be sufficient if the notice summarizes the amount, or the rate, of the charge.

Section 2.

This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA COUNTY OF JEFFERSON

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 15, 22, 29, May 6, 1967, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 21st day of July, 1967.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Kilgore, Adwell, Crane, Ellis, Sessions, Dill, Jackson (T), Money, House, Holman, Bowers, Yeilding, Gloor, Cherner, Waggoner, Gafford, Weeks and Meeks:

H. 714. To provide for public highways, streets and bridges in any county having a population in excess of 600,000, according to the last

or any succeeding Federal Census; and to that end to require that each such county provide the services of a county engineer for its highway, street and bridge program and to make further provisions for the distribution among any such county and the municipalities therein of (1) those portions of the net proceeds from the State Gasoline Excise Tax that are allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the Special Session of the Legislature of Alabama that convened on March 2, 1967.

Also:

By Messrs. Adwell, Kilgore, Dill, Jackson (T), Money, Cook (Jefferson), House, Sessions, Holman, Crane, Bowers, Yeilding, Gloor, Cherner, Waggoner, Ellis, Gafford, Weeks and Meeks:

H. 715. To amend Section 2 of Act Number 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Acts of Alabama, 1966 Special Session, page 280, et seq.), entitled "An Act To provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Fire Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956; to include in said separate system dependents of said presently active employees; and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the Regular Session of the Legislature of Alabama held during the year 1967, or at any special session of the Legislature of Alabama held during said year, for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act Number 217 of the 1966 special session of the Legislature of Alabama, approved August 30, 1966 (Acts of Alabama, 1966 Special Session, Page 280, et seq.), entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Fire Department of said City prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956; To include in said separate system dependents of said presently active employees; and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of said Act Number 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Acts

of Alabama, 1966 Special Session, page 280, et seq.), be amended to read as follows:

"Section 2. Definitions.—The following words, terms and phrases, wherever used in this Act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

'The city.' The City of Birmingham.

'The system.' The retirement and relief system established by this Act.

'In the service.' In the service of the city as a member of its fire department before, on or after the effective date of this Act.

'Salary.' Money remuneration, less the exclusion hereinafter enumerated, of a qualified employee for time in the service. Salary within the meaning of this Act shall not include overtime pay or compensation for extra work in addition to regular pay or salary, nor cash payments in lieu of vacation.

'Payroll period.' A period of time for which a payment of salary is ordinarily made.

'Earnings daily rate.' Monthly rate of salary for time in the service divided by thirty.

'Salary days.' Such number of days of a payroll period as equals the actual amount of salary paid to or for or to and for a member of the system for time in the service in such payroll period, divided by the daily earnings rate of such member for such payroll period.

'Paid membership time.' The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this Act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

'Prior service time.' Time of a member of the system in the service prior to the effective date of this Act, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

'Creditable time.' The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

'Final average salary.' The final average salary of any member of the system for purposes of this Act shall be the total amount of his salary for such period of five years of consecutive creditable time as may be most favorable to him, divided by sixty; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than five years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within five years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the five years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by sixty; and provided, further, that a member of the system shall be deemed to earn or to have earned salary at the same rate of salary as that which

he shall be deemed to earn or to have earned salary for the purpose of deduction from salary under Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 22, 1956, or under Section 3 of this Act, whichever is applicable.

'Beneficiary.' One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

'Severance nominee.' One designated as such under Section 9 of this Act.

'The comptroller.' The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

'The board.' The board of managers provided for by Section 15 of this Act for the administration, management and control of the system."

STATE OF ALABAMA COUNTY OF JEFFERSON

On this 12th day of July A. D. one thousand nine hundred and sixty-seven personally appeared before me, R. H. Carlisle a Notary Public in and for the County and State aforesaid Sharon Wright, who being duly sworn according to law, declares that she is Bookkeeper-Secretary of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post-Herald" on the following dates: June 21, 28, 1967 July 5, 12, 1967.

SHARON WRIGHT.

Subscribed and sworn to before me this 12th day of July A. D. 1967.

R. H. CARLISLE,
Notary Public.

My Commission expires 3-8-69.

Also:

By Messrs. Adwell, Kilgore, Dill, Jackson (T), Money, Cook (Jefferson), House, Sessions, Holman, Crane, Bowers, Yeilding, Gloor, Cherner, Waggoner, Ellis, Gafford, Weeks and Meeks:

H. 716. To amend Sections 8 and 9 of Act No. 556 of the Regular Session of the Legislature of Alabama, approved November 19, 1959 (Acts of Alabama of 1959, pages 1376, et seq.) entitled "An Act to establish a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any pension and relief or retirement and relief system heretofore established or hereafter established under Act Number 929 of Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama 1951, page 1579 et seq. as amended) and on whose account, or for whose benefit, the city by whom they are employed makes no contribution, or pays no tax, to the United States of America under the Federal Social Security Act; to provide certain disability benefits for such firemen and policemen and also certain benefits for the widows and children of any such firemen or policemen who die; to make provision for a supplemental retirement benefit for such firemen and policemen, if and when said Act No. 929 is amended as stipulated in this Act; to provide that from the funds of the System established by this Act certain payments shall be made to the fund of the System established by said Act No. 929, subject to said Act No. 929 being amended so as to authorize the Board of Managers of the System created by said

Act Number 929 to receive said payments; to establish a Board of Managers for the Pension System hereby created and to provide for the method of selection of the said Board and to define the power, authority and duties of the said Board of Managers; to provide for the actuarial study, investigation and report showing the probable ability or inability of the fund hereby created to meet the benefits provided for by the system created by this Act; to provide for paying from funds of the System expenses incurred in securing any such actuarial study, investigation and report; to provide that at least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or senatorial district wherein there is established any Pension System provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said System to meet the benefits provided, which said report or survey shall give such opinion separately and severally with respect to each of the said benefits, and which said report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary; and to provide that the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama."

Also:

By Messrs. Adwell, Kilgore, Dill, Jackson (T), Money, Cook (Jefferson), House, Sessions, Holman, Crane, Bowers, Yeilding, Gloor, Cherner, Waggoner, Ellis, Gafford, Weeks and Meeks:

H. 717. To amend Section 2 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the Legislature of 1923, as re-enacted and amended: to include in said separate System dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents".

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the Regular Session of the Legislature of Alabama during the year 1967, or at any special session of the Legislature of Alabama held during said year, for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9 1955, entitled "An Act to provide a separate retirement and relief system for certain of

the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the Regular Session, of the Legislature of 1923, as re-enacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of said Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, as heretofore amended, be and said section is hereby further amended to read as follows:

"Section 2. Definitions—The following words, terms and phrases wherever used in this Act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

'The City.' The City of Birmingham.

'The 1923 system.' The pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, whether as originally enacted or as re-enacted or amended.

'The system.' The retirement and relief system established by this Act.

'In the service.' In the service of the city as a member (other than a reserve force member) of its police department or as a jail warden before, on or after the effective date of this Act.

'Salary.' Money remuneration, less the exclusions hereinafter enumerated, of a qualified employee for time in the service. Salary within the meaning of this Act shall not include overtime pay or compensation for extra work in addition to regular pay or salary, nor cash payments in lieu of vacation.

'Payroll period.' A period of time for which a payment of salary is ordinarily made.

'Earnable daily rate.' Monthly rate of salary for time in the service divided by thirty.

'Salary days.' Such number of days of a payroll period as equals the actual amount of salary paid to or for or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

'Paid membership time.' The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this Act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

'Prior service time.' Time of a member of the system in the service prior to the effective date of this Act, or as to a member brought under this act by amendment, prior to the effective date of such amendment, except time in the service prior to said effective date for which the member of the system may have received no service pay from the City.

'Creditable time.' The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

'Final average salary.' The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of five years of consecutive creditable time as may be most favorable to him, divided by sixty; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than five years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within five years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the five years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by sixty, and provided further that a member of the system shall be deemed to earn or to have earned salary at the same rate of salary as that which he shall be deemed to earn or to have earned salary for the purpose of deductions from salary under Section 3.

'Beneficiary.' One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

'Severance nominee.' One designated as such under Section 9 of this act.

'The comptroller.' The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

'The board.' The board of managers provided for by Section 15 of this act for the administration, management and control of the system.

STATE OF ALABAMA COUNTY OF JEFFERSON

On this 12th day of July A. D. one thousand nine hundred and sixty-seven personally appeared before me, R. H. Carlisle a Notary Public in and for the County and State aforesaid Sharon Wright, who being duly sworn according to law, declares that she is Bookkeeper-Secretary of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post-Herald" on the following dates: June 21, 28, 1967 July 5, 12, 1967.

SHARON WRIGHT.

Subscribed and sworn to before me this 12th day of July A. D. 1967.

R. H. CARLISLE,
Notary Public.

My Commission expires 3-8-69.

Also:

By Messrs. Adwell, Kilgore, Dill, Jackson (T), Money, Cook (Jefferson), House, Sessions, Holman, Crane, Bowers, Yeilding, Gloor, Cherner, Waggoner, Ellis, Gafford, Weeks and Meeks:

H. 718. To further amend Section 4 and Section 12 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved

September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), entitled "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children; to make the provisions of such System retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any County in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such System".

Also:

By Messrs. Grayson and Downing:

H. 536. To further amend Section 227 (1) of Title 13 of the Code of Alabama of 1940 which relates to: Salary of Solicitor in circuits having one county and not less than six nor more than nine circuit judges.

Also:

By Messrs. Hogan and Collins (C):

H. 681. To amend further Section 41, Title 62 of the Code of Alabama, 1940 relating to the compensation of the treasurer of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 41, Title 62 of the Code of Alabama, 1940 relating to the compensation of the treasurer of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 41, Title 62, Code of Alabama 1940, as amended by Act 412, Regular Session 1947, approved September 19, 1947, and further amended by Act 436, Regular Session 1959, approved November 13, 1959, be and the same is hereby amended to read as follows:

Section 41. The salary of the county treasurer in the County of Mobile shall be twelve thousand dollars (\$12,000.00) per annum, payable in equal monthly installments from the county treasury on warrants drawn by the president or chairman of the county governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Ruth Greene being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published

in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Jun 23 30 Jul 7 14 1967.

RUTH GREENE.

Sworn to and subscribed before me this 17 day of July 1967.

E. E. KOCH,
Notary Public.

Also:

By Messrs. Hogan and Collins (C):

H. 682. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the Treasurer of Mobile County to appoint an Assistant Treasurer (Acts 1955, v. 1, p. 122).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the Treasurer of Mobile County to appoint an Assistant Treasurer (Acts 1955, v. 1, p. 122).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of Act No. 13, H. 12, Second Special Session 1955, as amended by Act 110 of Special Session of 1964, approved August 24, 1964, be and the same is hereby amended to read as follows:

S 6. The salary of the Assistant Treasurer in the County of Mobile shall be seventy-two hundred dollars (\$7,200.00) per annum and shall be paid in equal monthly installments from the County Treasury of Mobile County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Ruth Greene being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Jun 23 30 Jul 7 14 1967.

RUTH GREENE.

Sworn to and subscribed before me this 17 day of July 1967.

E. E. KOCH,
Notary Public.

Also:

By Mr. Neville:

H. 697. To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof.

Also:

By Mr. Neville:

H. 698. To apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties.

Also:

By Mr. Beck:

H. 704. To enable and authorize any bank organized and operating under the laws of Alabama, having its principal place of business in DeKalb County, Alabama, or having a branch office or branch place of business in said county, with the approval of the Superintendent of Banks of the State of Alabama; to establish one branch bank or branch office in said County.

With notice and proof thereto attached and herewith exhibited as follows:

Legal Ads

NOTICE

Notice is hereby given that at the present session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, that is to say:

A BILL TO BE ENTITLED AN ACT

To enable and authorize any bank organized and operating under the Laws of Alabama, having its principal place of business in DeKalb County, Alabama, or having a branch office or branch place of business in said county, with the approval of the Superintendent of Banks of the State of Alabama, to establish one branch bank or branch office in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank organized and operating under the laws of the State of Alabama, on or before June 1, 1967, having its principal place of business in DeKalb County, Alabama, or having a branch office or branch place of business in said county, may, with the approval of the Superintendent of Banks of the State of Alabama, create, establish, open, operate and maintain one additional branch bank or branch office or branch place of business in DeKalb County, Alabama.

Section 2. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, Phyllis H. Wilbanks, a Notary Public in and for the State of Alabama at Large, personally appeared Charles E. Hurley, who being by me first duly sworn, deposes and says: That he is the General Manager of the Times-Journal, which, during the times herein mentioned, was a newspaper of general circulation, published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the State of Alabama, in said newspaper, in the issues thereof, published successively on June 27, July 4, July 11, and July 18, 1967.

CHARLES E. HURLEY,
Affiant.

Sworn to and subscribed before me this the 25th day of July, A. D., 1967.

PHYLLIS H. WILBANKS,
Notary Public, State of Alabama At Large.

My Commission expires 10-22-67.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 711, 713, 714, 715, 716, 717 and 718. To the Committee on Local Legislation No. 2.

H. B.'s 536, 681, 682, 697, 698 and 704. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pruitt:

H. 292. To authorize the State Industrial Development Authority to sell and issue from time to time not exceeding \$5,000,000 principal amount of its bonds in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to

secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

By Mr. Pruitt:

H. 291. To amend Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama to reallocate the revenues derived from the tax authorized by said Act and to appropriate so much of said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$5,000,000.00 in aggregate principal amount.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 292 and 291. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Blanton and Hain:

H. 623. Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons in courts of competent jurisdiction within Dallas County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the general fund of Dallas County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me July 13, 1967.

JOSEPHINE K. TIPTON,
Notary Public.

Also:

By Messrs. Blanton and Hain:

H. 621. Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who shall have been an employee of Dallas County and in the service of the County for not less than twenty years prior to the establishment of the County Retirement System, shall be provided retirement benefits as provided by the County Governing Body. Provided, however, no such benefits paid to any one person shall exceed the sum of seventy-five dollars (\$75.00) per month.

Section 2. Any person coming under the provisions of this Act shall be deemed to have been in continuous service to the County and shall remain a member or employee of the department of the County to which such person was assigned at the time of his retirement, or of such other department to which such person may be assigned by the County Governing Body. Such person, while relieved of regular duty shall constitute a reserve or extra employee of such department and shall be at all times subject to the performance of any duty that may be required by the County Governing Body.

Section 3. The County Governing Body of Dallas County shall be authorized, subject to the limitations herein, to appropriate the necessary funds to carry out the provisions of this Act from any available funds in the County Treasury not otherwise appropriated.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me 15th. day of July, 1967.

JOSEPHINE K. TIPTON,
Notary Public.

Also:

By Mr. Steagall:

H. 563. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

By Messrs. Owen (Baldwin) and Brannan:

H. 594. To amend Act No. 616, H. 1163, Regular Session 1965 relating to counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census, and making further provisions respecting meetings of the board of registrars in such counties.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 680. To alter, or rearrange the boundary lines of the City of Cullman, Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama, 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Cullman, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the City of Cullman, Alabama, and in addition thereto the following described territory, to-wit:

TRACT I

Begin at the Northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33, Township 9 South, Range 3 West, Cullman County, Alabama; thence South along the quarter-quarter line 2558.8 feet to the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33; thence East along the quarter-quarter line 368 feet, more or less, to the West Right of Way of the L. & N. Railroad; thence South along said Right of Way 2560 feet, more or less, to the South boundary line of said Section 33; thence West along said South boundary line 1718 feet, more or less, to the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33; thence North along the quarter-quarter line 1275.5 feet to the Northwest corner of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence West along the quarter-quarter line to the point of intersection of the West Right of Way of U. S. Highway No. 31, the exis-

ting city limits of Cullman, Alabama; thence right along said Right of Way in a Northerly direction 3400 feet, more or less, to a point due West of the Southwest corner of the Mt. Zion Church Property; thence East 200 feet to said Southwest corner of the Mt. Zion Church Property; thence continue East along the South boundary of said Mt. Zion Church Property, 772.2 feet to the West boundary of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 33; thence North along said quarter-quarter line 400 feet, more or less, to the Section Line; thence East along said Section Line 1322.5 feet to the point of beginning, containing 265 acres, more or less.

TRACT II

Commence at the Northwest corner of Section 26, Township 10 South, Range 3 West; thence South along the section line a distance of 1835.0 feet; thence East a distance of 30.0 feet to the East right of way line of a paved county road, and the point of beginning; thence South along the said right of way line a distance 829.9 feet; thence South 44 degrees 37 minutes East a distance of 1849.8 feet to the Southeast corner of the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 26; thence East along the quarter-section line a distance of 324.4 feet; thence North a distance of 346.1 feet; thence North 43 degrees 09 minutes East a distance of 732.4 feet to the West right of way line of U. S. Highway No. 31; thence North 47 degrees 22 minutes West along the said right of way line a distance of 2330.7 feet; thence South 52 degrees 38 minutes West a distance of 516.8 feet to the point of beginning.

The above described land lies in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$, SW $\frac{1}{4}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ -SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 26, Township 10 South, Range 3 West in Cullman County, Alabama, and contains 60.8 acres, more or less.

TRACT III

Commence at the Northeast corner of Section 32, Township 9 South, Range 3 West; thence South along the section line 1267.7 feet to the Northeast corner of the Southeast Quarter-Northeast Quarter of Section 32, and the point of beginning; thence continue South along the section line a distance of 987.4 feet to the Northwest corner of Lot 29 in the First Addition to Northwood Subdivision; thence 16 degrees 00 minutes Right along the West line of said lot, a distance of 60.1 feet to the Northwest corner of Lot 28 in the said Addition; thence 16 degrees 00 minutes Right, along the West line of Lots 27 and 28, a distance of 300.0 feet to the South line of Northwood Drive; thence at right angles eastwardly a distance of 213 feet to a point on the section line; thence South along the section line a distance of 645.6 feet to the North right of way line of the Tennessee Valley Authority; thence northwestwardly along the said right of way line to the point of intersection with the West line of the Southeast Quarter-Northeast Quarter of Section 32; thence North along the quarter-section line a distance of 874.9 feet to the northwest corner of the Southeast Quarter-Northeast Quarter of Section 32; thence East along the quarter section line a distance of 1345 feet to the point of beginning.

The above described property lies in the Southeast Quarter Northeast Quarter and the North-East Quarter-Southeast Quarter of Section 32, Township 9 South, Range 3 West in Cullman County, Alabama, and contains 44.5 acres, more or less.

TRACT IV

All that part of the Northwest Quarter of the Southeast Quarter of Section 5, Township 10, Range 3 West, lying West of the Dripping Springs Road; Less and except a tract of land described as follows: Begin at a

point on the half section line 178 feet West of the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 5, Township 10, Range 3 West, said point being the center of the Dripping Springs Road; thence South 11 degrees 01 minutes East along said road a distance of 430 feet to the Northside of an intersecting road; thence North 89 degrees 47 minutes West along the North side of said county road a distance of 202.5 feet; thence North 11 degrees 12 minutes West a distance of 430.6 feet to a point on the half section line; thence East along half section line 202.5 feet to the point of beginning, containing 2 acres, more or less. SUBJECT also to a strip of land 15 feet wide running from the Dripping Springs Road West to the West line of said forty. SUBJECT to all existing right of ways for public roads and public utility lines and poles.

All that tract or parcel of land lying West of the Dripping Springs Road and located in the Northeast Quarter of the Southeast Quarter, Section 5, Township 10, Range 3 West and lying in the Southwest Quarter of said quarter section. Containing an aggregate of 38 acres, more or less, in both tracts.

TRACT V

All that part of the Southwest Quarter of the Northwest Quarter of Section 26, Township 10, Range 3 West lying West of the right of way of U. S. Highway No. 31 with the exception of that part thereof heretofore conveyed by sellers herein to buyer herein by deed dated July 21, 1965, the tract of land covered by this deed being 2.9 acres, more or less.

TRACT VI

(a) All that part of the Southwest Quarter of the Southeast Quarter, Section 3, Township 10, Range 3 West, lying and being West of the Creek and North of Eva Highway, and also a strip ten (10) feet wide along the East side of said Creek and North of Eva Highway, containing one (1) acre, more or less.

(b) All that part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 10, Range 3 West which lies North of Eva Highway except that part of said quarter section described in the foregoing paragraph (a).

(c) Lots No. 28, 29, 30, 31, 32, 33, and 37 in Cramton Subdivision, a map of which of record in the office of the Judge of Probate of said county, said lots containing 35 acres, more or less, excepting however the East 50 feet of said lots 28, 29, 30 and 31 and the East 50 feet of that part of said lot No. 32 which lies North of the Eva Highway.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice hav-

ing appeared in the issues of said paper on June 27, July 4, July 11, July 18, all in the year 1967.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me this the 19th day of July, 1967.

COLLEEN BUCHANAN,
Notary Public.

My Commission Expires Nov. 4, 1968.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 699. To apply only in counties having populations of not less than 76,000 nor more than 96,000; to provide an expense allowance for the district attorney of the circuit court; to fix the expiration date of such expense allowance.

Also:

By Mr. Fine:

H. 719. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAMAR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Sulligent, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The NW $\frac{1}{4}$ of NW $\frac{1}{4}$, the S $\frac{1}{2}$ of NW $\frac{1}{4}$, the N $\frac{1}{2}$ of SW $\frac{1}{4}$, the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28; the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 29; the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30; the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 31; the NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the W $\frac{1}{2}$ of SW $\frac{1}{4}$, the N $\frac{1}{2}$ of SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32; the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, of Section 33, all in Township 13 South of Range 15 West, and the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 4, and the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 6, of Township 14 South, Range 15 West, Huntsville Meridian, in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 1, June 8, June 15, and June 22, all in the year 1967.

JACK HANKINS.

Sworn to and subscribed before me July 17, 1967.

NELLIE RUTH TAGGART,
Notary Public.

Also:

By Messrs. Berryman (W) and Graham:

H. 721. To apply only in counties having populations of not less than 21,900 nor more than 22,300, providing expense allowances payable from the county treasury for the coroners of such counties.

Also:

By Messrs. Berryman (W) and Graham:

H. 722. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 21,900 nor more than 22,300, according to the most recent federal decennial census; providing for payment of additional compensation from the the county treasury.

Also:

By Messrs. Higginbotham and Turnham:

H. 723. To amend Act No. 369, H. 781, Regular Session 1963, providing expense allowances for members of the board of revenue, court of county commissioners or other like governing body of Lee County (Acts 1963, v. 2, p. 868) so as to make further provisions respecting such allowances.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 369, H. 781, Regular Session 1963, providing expense allowances for members of the board of revenue, court of county commissioners or other like governing body of Lee County (Acts 1963, v. 2, p. 868) so as to make further provisions respecting such allowances.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 369, H. 781, Regular Session 1963, an act providing for the payment of an expense allowance to members of the board

of revenue, court of county commissioners or other like governing body of Lee County (Acts 1963, v. 2, p. 868) is hereby amended so as to read as follows:

1. Each member of the board of revenue, court of county commissioners or other like governing body of Lee County shall be entitled to an allowance for expenses payable from any funds in the county treasury not otherwise appropriated in the amount of \$150 a month. The expense allowance herein provided for shall be in addition to all other compensation and allowances provided members of the county governing body by general, special or local laws.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1967.

W. C. WEAR, JR.

Sworn to and subscribed before me July 15, 1967.

DOROTHY W. MITCHELL,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 623. To the Committee on Finance and Taxation.

H. B.'s 621, 563, 594, 680, 699, 719, 721, 722 and 723. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

Also:

By Mr. Brassell:

H. 683. To amend Act No. 13, H. 118, Regular Session 1947, an act establishing for the municipality of Phenix City a pension and relief system for the benefit of firemen and policemen (Local Acts 1947, p. 7).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 13, H. 118, Regular Session 1947, an act establishing for the municipality of Phenix City a pension and relief system for the benefit of firemen and policemen (Local Acts 1947, p. 7).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 15 of Act No. 13, H. 118, Regular Session 1947, an act establishing for the municipality of Phenix City a pension and relief system for the benefit of firemen and policemen (Local Acts 1947, p. 7) is hereby amended so as to read as follows:

15. The board shall have authority to retire, without regard to length of service, any fireman or policeman who attains the age of sixty-five years. Any person so retired shall be paid monthly, from the fund, a sum equal to three percent of the amount of the monthly salary he was receiving at the time of his retirement multiplied by the number of whole years he served in the department prior to retirement.

Section 2. Section 20 of said Act No. 13 of the 1947 Regular Session is hereby amended to read as follows:

20. (A) If any fireman or policeman is killed while in the performance of his duty, or dies as a result of an injury received in the line of duty, or dies from any cause while in service as a result of his service, or dies from any cause while in service or on the retirement roll after having served for more than twelve years, the last five years of which were continuous, the board shall cause to be paid monthly to the widow—to whom the deceased, if retired, was married at the time of retirement—during her natural life or until she remarries, a sum equal to thirty percent of the salary of the deceased fireman or policeman. (B) If such deceased fireman or policeman leaves surviving him a child under sixteen years of age, the board shall cause to be paid, for the benefit of such child, monthly, to the mother if living, a sum equal to fifteen percent of the salary of the deceased; but not more than thirty percent of the salary of the deceased fireman or policeman shall be paid to the children of such deceased in any case. Such payments shall be continued so long as the child lives with the mother, is under the age of sixteen years, and is supported by the mother. If the child has no mother, or if the mother dies during the time the child is entitled to benefits under this Act, payments may be made to the person having control and custody of the child, or to some other person, as the board may determine. (C) In the event such deceased fireman or policeman is not survived by a widow or child who are entitled to benefits under A or B but does leave surviving him a widowed mother who is entirely dependent upon him for support, the board shall pay to such mother monthly, during her natural life or so long as she remains unmarried, a sum equal to twenty percent of the deceased's salary.

Section 3. Section 25 of said Act No. 13 of 1947 is hereby amended so as to read as follows:

25. No pension or other benefits, except for disability incurred in line of duty, shall commence or be payable under this Act prior to the first day of October 1948.

Section 4. Section 28 of said Act. No. 13 of 1947 is hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1967.

JANE GULLATT.

Sworn to and subscribed before me 20th day of July, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Messrs. Merrill, Pennington, Bowers, Pruitt, McCorquodale and Lybrand:

H. 557. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$15,000,000 principal amount of General Obligation Bonds of the State of Alabama for the acquisition, construction, equipment and improvement of mental health facilities, including mental health centers, hospitals for the mentally ill, and facilities for treatment and care of the mentally retarded.

Also:

By Messrs. Merrill, Pennington, Bowers, Pruitt, McCorquodale and Lybrand:

H. 558. To authorize the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including mental health centers, hospitals for the mentally ill, and facilities for treatment and care of the mentally retarded, to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, that portion of an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes, levied by the act introduced as House Bill No. 556 at the 1967 Regular Session of the Legislature of Alabama, that was appropriated in the said act to the purpose of acquiring and constructing mental health facilities; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

Also:

By Messrs. Merrill, Pennington, Bowers, Pruitt, McCorquodale and Lybrand:

H. 556. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds thereof.

Also:

By Messrs. Merrill, Pennington, Bowers, Pruitt, McCorquodale and Lybrand:

H. 559. To provide for the organization of a public corporation in the state to be known as Alabama Mental Health Building Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers of the Authority, including the power to provide for the acquisition, construction, and improvement of mental health facilities, consisting of mental health centers and facilities for the treatment and care of the mentally ill and the mentally retarded, and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by the act adopted at the 1967 Regular Session of the Legislature of Alabama that was introduced as House Bill No. 556 at said session, to the extent necessary to pay the principal of and the interest on bonds of the Authority as such principal and interest mature; to authorize the Authority to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that the said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of the funds of the Authority; and to provide for the dissolution of the Authority.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 683. To the Committee on Local Legislation No. 1.

H. B.'s 557, 558, 556 and 559. To the Committee on Finance and Taxation.

(The above numbered Bill, H. B. 557, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 726. To amend Act No. 78, H. 59, Regular Session 1963 (Acts of Alabama 1963, p. 455) which abolishes the office of County Engineer of Marion County; creates a Division of Public Roads of Marion County; provides for the appointment of a Chief Engineer and prescribes his term of office, his qualifications and his salary, so as to provide further for the salary of the Chief Engineer.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 78, H. 59, Regular Session 1963 (Acts of Alabama 1963, p. 455) which abolishes the office of County Engineer of Marion County; creates a Division of Public Roads of Marion County; provides for the appointment of a Chief Engineer and prescribes his term of office, his qualifications and his salary, so as to provide further for the salary of the Chief Engineer.

Be It Enacted by the Legislature of Alabama:

Section 5 of Act No. 78, H. 59, Regular Session 1963 (Acts 1963, p. 455) which abolishes the office of County Engineer of Marion County; creates a Division of Public Roads of Marion County; provides for the appointment of a Chief Engineer and prescribes his term of office, his qualifications and his salary is hereby amended to read as follows:

"Section 5. The Chief Engineer of the Division of Public Roads of Marion County shall receive an annual salary of not more than twelve thousand dollars (\$12,000.00), the exact amount to be fixed by the Board of Revenue. Such salary shall be paid in equal monthly installments from the gasoline tax funds of Marion County, Alabama."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 5, July 11, and July 18, all in the year 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me July 24, 1967.

ROBERT H. THOMAS,
Notary Public.

Also:

By Mr. Fite:

H. 727. Relating to Marion County; to provide an expense allowance for the Chief Engineer of the Division of Public Roads, such allowance to be paid out of the gasoline tax fund of the county; providing an effective date and an expiration date for operation of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; to provide an expense allowance for the Chief Engineer of the Division of Public Roads, such allowance to be paid out of the gasoline tax fund of the county; providing an effective date and an expiration date for operation of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chief Engineer of the Division of Public Roads of Marion County shall be entitled to an allowance of not more than \$2,000 per annum for expenses incurred in the performance of duties, the exact amount to be fixed by the Board of Revenue. Such allowance shall be paid in equal monthly installments from the gasoline tax fund of the county.

Section 2. This Act is cumulative.

Section 3. This Act shall become effective immediately upon its enactment and shall terminate and expire at the expiration of the term of the incumbent Chief Engineer of the Division of Public Roads of Marion County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 5, July 11, and July 18, all in the year 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me July 24, 1967.

ROBERT H. THOMAS,
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 728. To authorize establishment and operation of branch banks and branch offices of banks in Marengo County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize establishment and operation of branch banks and branch offices of banks in Marengo County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in Marengo County may with the written consent of the State Superintendent of Banks, open, establish, and operate a branch office or branch bank for receipt of deposits, payment of checks, and conducting its business, anywhere within the corporate limits of the city or town where its principal office is situated.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ben G. George, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1967.

BEN G. GEORGE.

Sworn to and subscribed before me July 24, 1967.

SADIE POELLNITZ,
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 736. Relating to Sumter County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the tax; prescribing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the tax; prescribing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. In Sumter County every person, firm, corporation, co-partnership, club, association, agency, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one per cent or more of alcohol by volume) shall pay a privilege license or excise tax upon the sale, use or consumption, distributing, storing or withdrawing from storage in said county of any malt or brewed beverages, as herein defined. Such tax shall be in an amount equal to two cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, used, consumed, distributed, stored or withdrawn from storage in Sumter County, which tax shall be in addition to any and all other taxes heretofore or hereafter levied on such beverages; provided, that where the amount of the tax levied under the provisions of this act shall have been paid to the county or to any municipality therein by any seller, distributor, dealer, storer or user, such payment shall be sufficient, the intent being that the tax levied by this act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the county treasurer who shall be solely responsible for the administration of this act. Said treasurer shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied, and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax, and provide proper forms requiring sufficient information and proof, to be verified by the oath of any seller, distributor, dealer, storer or other user claiming exemption from payment of the tax on account of purchases made from others who have paid the tax imposed by this act. Said county treasurer shall be authorized to employ such additional personnel and inspectors to assist in the administration and enforcement of this act as he may deem neces-

sary and desirable at a cost not to exceed three thousand dollars (\$3,000) per annum. As his compensation for the performance of his duties in administering this act, the county treasurer shall be entitled to two and one-half per cent ($2\frac{1}{2}\%$) of all taxes collected under the provisions of this act.

Section 3. (a) Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this act, and on or before the 15th day of each calendar month thereafter, file with the county treasurer a written statement, sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, and a detailed, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages and the date or dates on which sold, distributed or delivered.

(b) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

(c) In order to enable the county treasurer to make distribution of the net proceeds of the tax as in this act prescribed, each distributor or seller must include in the statement separately the total sales made within the municipality and the police jurisdiction of each municipality, and the total sales made in the county but outside the police jurisdiction of any municipality. Should there be a continued failure to furnish the statement contemplated by this provision for basis of distribution, the county treasurer is authorized and required to procure, from the records of the delinquent, such information as may be procurable therefrom to enable him to make proper distribution of the proceeds of the tax.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the county treasurer and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section, or in any other part of this act, shall authorize any sale, distribution or delivery of malt or brewed beverages within the county, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the county treasurer thirty days' notice in writing of his intent to destroy or dispose of such records. The county treasurer or his duly authorized agent is authorized to inspect such records and to make copies of such parts of same as he may deem desirable or proper. The failure to keep such records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the county treasurer or his authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this act to furnish, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand therefor shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this act not keep and have in his possession or control correct and detailed books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due, and the required information as to sales in the several tax-recipient areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the county treasurer to ascertain from such information and data as he may reasonably obtain the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in Section 3 or when he buys his decals or other devices from the county treasurer, if the treasurer requires the distributor or seller to buy decals or other devices.

Section 6. (a) It shall be the duty of the county treasurer to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in complying with the provisions of this act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the county treasurer to enforce the provisions of this act, and to that end he is authorized to enter lawfully any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages, and to inspect the containers of malt or brewed beverages in the retailer's possession, for the purpose of determining whether or not there be any containers not having fixed the decal or other device contemplated by this act. It shall be lawful also for any police officer or a deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages.

Section 7. (a) Collection of the tax may be accomplished in this fashion:

The county treasurer, by requisition to and upon the governing body of Sumter County, may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of

which decals or other devices shall bear in legible characters a notation that it evidences the payment of the tax levied by this act, and he may procure such forms and other printed matter and materials as may be necessary in the administration of this act. To reimburse Sumter County for the cost and expense incurred by it in procuring and furnishing to the treasurer the said decals or other devices, and forms and other matter furnished by the county to the treasurer, the treasurer shall deduct, from the gross amount of taxes collected, at each tax-distribution period, the cost and expense incurred by the county in procuring and furnishing to the treasurer the decals or other devices contemplated by this act and the cost of forms and other materials hereinbefore provided for, and shall pay over the amount so deducted to the county. Decals or other devices may be furnished by the treasurer to each seller or distributor of malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures from the treasurer, less a ten per cent (10%) discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

(b) The amount distributed by the county treasurer to the several recipients of the proceeds of the tax as provided in this act shall be, as to each recipient of the tax, that recipient's proportionate part of the net proceeds of the tax, such net proceeds to be the total amount of taxes collected less the cost of collection and expenses of administration of this act.

Section 8. After the payment of all costs of collection and enforcement of the tax levied herein, the net proceeds shall be apportioned and paid to the county and the municipalities therein on the basis of the situs where the malt or brewed beverage is sold and the revenue therefrom is produced. The net proceeds produced within the incorporated municipality and the police jurisdiction of any such municipality in the county shall be paid into the general fund of the municipality in which such revenue is produced, to be used for governmental purposes of the municipality; and the net proceeds produced in the county outside the police jurisdiction of any such municipality in the county shall be covered into the general fund of the county, to be used for governmental purposes of the county. Prior to the 20th day of each month, the county treasurer shall make a partial distribution of the net proceeds of the revenue collected in the next preceeding month to the county and to each municipality therein, and shall make a final distribution at the end of each fiscal year. Each city or town receiving any funds under this act shall provide aid and assistance in enforcing the tax herein authorized within its territory.

Section 9. Any person, firm, or corporation who violates any provision of this act or the rules and regulations as may be provided by the county treasurer of Sumter County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations set out by the county treasurer shall pay, in addition to the tax, a penalty of ten per cent of the amount of tax, together with interest thereon at the rate of one-half of one per cent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this act are repealed.

Section 13. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, July 13, and July 20, all in the year 1967.

DICK SMITH.

Sworn to and subscribed before me July 24, 1967.

LOUISE W. HANLEY,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 726, 727, 728 and 736. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Culver, Brown, Kilgore, Pennington, Cook (Jefferson), Weeks and Lybrand:

H. J. R. 67. WHEREAS Miss Sylvia Hitchcock, popular University of Alabama Junior art student, is the world's reigning beauty, having been acclaimed Miss Universe 1967; and

WHEREAS the lovely lithesome Miss Hitchcock won the world's top beauty title after having been successively named Miss Alabama and Miss U. S. A. in contests in which her shapely form and talents were displayed with such effortless grace; and

WHEREAS Miss Hitchcock, whose home is in Miami, Florida, entered the University of Alabama upon the advice of her brother, a professor

of art in an Eastern college, in order to take advantage of superior instruction at that institution; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Miss Hitchcock upon her winning the Miss Universe title and we warmly commend the panel of judges for their perception in choosing such an outstanding young lady to grace this position. We take great pride in adding "Alabama, First in Beauty" to the long list of coveted firsts for this State, including the customary title of "First in Football."

BE IT FURTHER RESOLVED that Miss Hitchcock is hereby extended a most cordial invitation to visit the Legislature of the State of Alabama on the first legislative day hereafter that meets her convenience and to address a joint session of the House of Representatives and Senate of the State of Alabama.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Miss Sylvia Hitchcock, "Miss Universe 1967."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 67, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MOTION TO ADJOURN LOST

At 5:05 P. M., Mr. Skidmore moved that the Senate do now adjourn until Wednesday, August 2, 1967, at 12 o'clock Noon, which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Dominick	Morrow	Skidmore	
Adams	Gilmore	Nabors	Torbert	
Bailes	Harris	O'Bannon	Vacca	
Childs	Hawkins	Pierce		—14

Nays:

Messrs.:	Cooper	Goodwyn	McDermott	
Albea	Engel	Jackson	Oden	
Branyon	Foisom	Leonard	Pelham	
Carr	Giles	Lolley	Stone	
Clark	Givhan	McCarley	Turner	—19

FURTHER CONSIDERATION OF S. R. 67

The Senate proceeded to further consideration of the Resolution, S. R. 67. The question was on the substitute offered by Mr. Skidmore.

Mr. Morrow offered the following amendment to the substitute for the Resolution, S. R. 67, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. R. 67

Amend substitute by adding S. B. 228 at the bottom of the list thereon.

RESOLUTIONS

Mr. McDermott offered the following Senate Joint Resolution, to-wit:

S. J. R. 68. WHEREAS, Major James D. (Bubzy) Partridge, United States Air Force, has recently been awarded the Distinguished Flying Cross for his heroic actions in Viet Nam on November 10, 1966, and

WHEREAS, the citation accompanying said award recounts that on said date while flying a spotter plane and working in conjunction with an Army Special Forces unit, Major Partridge spotted a sizeable number of enemy ground forces which constituted an imminent threat to the American troops, whereupon he marked the spot, called in jet air support and continually circled the area until the air support arrived, all the while remaining in constant danger himself; following the jet air strike called in by Major Partridge, the American troops counted seventy to eighty enemy dead, and

WHEREAS, Major Partridge has long been an outstanding combatant and competitor; he was an outstanding halfback at McGill Institute in Mobile and won an athletic scholarship to Tulane University, and

WHEREAS, the heroic actions of Bubzy Partridge typify the ability, esprit and dedication of our Alabama servicemen and indeed of the vast majority of all Americans now serving in the military forces, now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature of Alabama commend Major Partridge for his heroic actions in Viet Nam and that we express to him, and through him to all our military forces in Viet Nam, our appreciation and gratitude for their constant vigilance and aggressive efforts against Communist expansion.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. McDermott then offered the following Senate Joint Resolution, to-wit:

S. J. R. 69. WHEREAS, Mr. Grover Cleveland Fairchild, on Monday, July 31, 1967, completed fifty-seven years of active railroad service, including forty-seven years' service with the railroad now known as the Gulf, Mobile and Ohio Railroad Company; and

WHEREAS, Mr. Fairchild moved to Mobile, Alabama, in 1940 from his native St. Louis, Missouri, and since that time has been active in civic affairs, in participant and spectator sports and in his church work; and

WHEREAS, Grover Cleveland Fairchild has firmly established himself as a dedicated railroad man, as well as a devoted husband and father and has, after these many years of faithful service, earned for himself a well deserved retirement; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we extend to Mr. Fairchild our congratulations on his now completed record of longtime railroad service, and that we extend to both Mr. and Mrs. Fairchild our very best wishes in the years to come.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. McDermott then offered the following Senate Joint Resolution, to-wit:

S. J. R. 70. WHEREAS, on July 14, 1967, Mrs. Irene Kennedy, a tireless leader for over twenty-two years in supervised playground recreation for the children of Mobile, retired as an employee of the City of Mobile; and

WHEREAS, Mrs. Kennedy devoted unstinting attention to the development of character, integrity, sportsmanship and leadership in those youngsters placed in her care; and

WHEREAS, she was widely admired and respected for her own leadership abilities in and about her work, which work was not always made easy by her charges, as can be attested by the sponsor of this resolution; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that we extend to Mrs. Kennedy our best wishes on the occasion of her retirement and express the appreciation of this body to her and those who perform similar service in the development of character in the youth of our State.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. R. 67

The Senate proceeded to further consideration of the Resolution, S. R. 67. The question was on the amendment offered by Mr. Morrow to the substitute offered by Mr. Skidmore for the Resolution, S. R. 67.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

- S. J. R. 2. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 12. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 16. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 20. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 33. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 27. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 37. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 38. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 54. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 13. Delivered to the Governor July 27, 1967, at 4:15 P. M.
- S. J. R. 17. Delivered to the Governor July 27, 1967, at 4:15 P. M.

- S. J. R. 23. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 26. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 29. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 32. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 44. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 46. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 49. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 51. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 28. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 36. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 45. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 47. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. J. R. 59. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 225. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 226. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 282. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 304. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 214. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 372. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 377. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 58. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 383. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 194. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 195. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 196. Delivered to the Governor July 27, 1967, at 4:15 P. M.
S. B. 198. Delivered to the Governor July 27, 1967, at 4:15 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 6:10 P. M., on motion of Mr. Skidmore, pending further consideration of the Resolution, S. R. 67, the Senate adjourned until Wednesday, August 2, 1967, at 12 o'clock Noon.

TWENTY-SIXTH LEGISLATIVE DAY

WEDNESDAY, AUGUST 2, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend W. H. Swearingen, Chairman, State Board of Pardons and Paroles, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Loney	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Napors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day was approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 292. To apply only in all counties of this state having not less than 34,000 nor more than 35,500 population according to the last or any subsequent federal decennial census, prohibiting the taking, catching, capturing or killing game or non-game fish by use of a gill net or a trammel net in public waters in such counties.

Also:

S. 333. Relating to Cullman County authorizing any bank situated in the City of Cullman, or having an authorized place of business therein, to open, establish, operate and maintain a branch bank, branch office, or additional place of business in the City of Cullman, in said county.

Also:

S. 396. To amend further Section 2 of Act No. 18, H. 6, First Special Session 1955, the act creating the Cullman County Commission on Education so as to provide for two additional members of the commission and to create two new election districts.

Also:

S. 431. To authorize the Dallas County Court of County Revenues to appropriate and use certain County Funds and to designate and use certain County property, buildings and facilities in order to qualify for and receive Federal assistance under the Federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Also:

S. 432. Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

Also:

S. 442. To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Stone:

S. 528. To authorize the Governing Body of any County to create a County Planning Commission; to permit members of the County Governing Body, including its presiding officer, to serve on a County Planning Commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such Commissions; to authorize counties to adopt regulations for the subdivision of land within the county, and to provide for their administration through a County Planning Commission; to authorize counties to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings, the density of population; to provide for County Boards of Zoning Adjustment and define the authority, powers, and functions of such Boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by counties under the authority of this Act; and to provide for penalties for violations of this Act and regulations and resolutions made by counties pursuant to this Act.

Committee on Counties and County Boundaries.

By Mr. McDermott:

S. 529. To confirm and make valid the conveyances by municipal corporations of real estate.

Committee on Municipalities and
Municipal Organizations.

By Mr. Lolley:

S. 530. To provide for the creation of departments of engineering for all counties of this state having a population of not less than 30,550 nor more than 31,000; to provide for the composition of said departments of engineering; to provide for the appointment of county engineers; to prescribe the qualifications, powers and duties of said county engineers.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Blanton (with amendment):

H. 44. Relating to crimes and offenses; providing further for the punishment for wilful and wanton destruction of property of another; amending Act No. 38, H. 101, Regular Session 1951 (Acts 1951, p. 247) so as to make certain of such acts felonies and to fix the punishment therefor and to include public property in the provisions of the act.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

S. 360. To amend Title 15, Section 263, Code of Alabama, 1940, as amended.

By Mr. Goodwyn:

S. 359. To repeal Title 15, Section 264, Code of Alabama, 1940.

By Mr. Goodwyn:

S. 358. To regulate the sale, purchase, possession and use of dynamite and other explosives; requiring permits for such purchases or possession and certain uses; providing for records and reports; and prescribing penalties for violations.

By Mr. Goodwyn:

S. 354. To repeal Title 15, Section 265, Code of Alabama, 1940.

By Mr. Goodwyn:

S. 353. To amend Title 14, Section 86, Code of Alabama, 1940, as amended, pertaining to Burglary in the Second Degree.

By Mr. Goodwyn:

S. 352. To amend Title 14, Section 87, Code of Alabama, 1940, as amended, pertaining to Burglary of Motor Vehicles.

By Mr. Goodwyn:

S. 351. To amend Title 14, Section 88, Code of Alabama, 1940, as amended, pertaining to Burglary by Breaking out of House or Other Premises.

By Mr. Goodwyn:

S. 350. To amend Title 14, Section 85, Code of Alabama, 1940, as amended pertaining to Burglary in the First Degree.

By Mr. Goodwyn:

S. 349. To amend Title 14, Section 49, Code of Alabama, 1940, as amended, pertaining to levying blackmail.

Mr. Givhan, Chairman of the Standing Committee on Commerce and Common Carriers reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams:

S. 408. To regulate further the business of certain public utilities, gas districts, power districts, electric membership corporations, electric co-operatives, municipal electric utility boards and district electric corporations.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gafford et al (with amendment):

H. 632. To apply only to counties having a population of not less than 600,000 inhabitants according to the most recent federal decennial census; Providing for the appointment of reserve deputies sheriff; defining said reserve deputies sheriff, and providing for the qualification, authority, duties, compensation, bond and term of office of such reserve deputies sheriff, and providing for the use of county equipment, and liability of sheriff for acts of said reserve deputies sheriff.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dobbs and Shumate (with amendment):

H. 657. To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not less than 52,000 nor more than 56,000 according to the most recent federal decennial census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provisions of this Act.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 680. To alter, or rearrange the boundary lines of the City of Cullman, Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

By Messrs. Higginbotham and Turnham (with notice and proof):

H. 723. To amend Act No. 369, H. 781, Regular Session 1963, providing expense allowances for members of the board of revenue, court of county commissioners or other like governing body of Lee County (Acts 1963, v. 2, p. 868) so as to make further provisions respecting such allowances.

By Messrs. Manley and Pruitt (with notice and proof):

H. 728. To authorize establishment and operation of branch banks and branch offices of banks in Marengo County.

By Messrs. Pruitt and Manley (with notice and proof):

H. 736. Relating to Sumter County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the tax; prescribing penalties for violations.

By Mr. Fite (with notice and proof):

H. 727. Relating to Marion County; to provide an expense allowance for the Chief Engineer of the Division of Public Roads, such allowance to be paid out of the gasoline tax fund of the county; providing an effective date and an expiration date for operation of the Act.

By Mr. Fite (with notice and proof):

H. 726. To amend Act No. 78, H. 59, Regular Session 1963 (Acts of Alabama 1963, p. 455) which abolishes the office of County Engineer of Marion County; creates a Division of Public Roads of Marion County; provides for the appointment of a Chief Engineer and prescribes his term of office, his qualifications and his salary, so as to provide further for the salary of the Chief Engineer.

By Mr. McCarley:

S. 518. To apply only in counties having populations of not less than 18,000 nor more than 19,000; making further provisions respecting the number and employment of deputies and assistants for the sheriff's department, and to repeal conflicting laws.

By Messrs. Blanton and Hain (with notice and proof):

H. 621. Relating to Dallas County, authorizing the County Governing Body to appropriate funds for retirement benefits to certain County employees.

By Mr. Fine (with notice and proof):

H. 719. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

By Mr. Adams (with notice and proof):

S. 525. To provide for the appointment of Deputy District Attorneys for Houston County, Alabama, to re-designate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

By Mr. Steagall:

H. 563. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

By Mr. Neville:

H. 698. To apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties.

By Mr. Neville:

H. 697. To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof.

By Messrs. Owen (Baldwin) and Brannan:

H. 594. To amend Act No. 616, H. 1163, Regular Session 1965 relating to counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census, and making further provisions respecting meetings of the board of registrars in such counties.

By Mr. Skidmore:

S. 513. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 109,000 nor more than 116,000, according to the most recent federal decennial census.

By Messrs. Merrill, Lybrand and Burgess:

H. 699. To apply only in counties having populations of not less than 76,000 nor more than 96,000; to provide an expense allowance for the district attorney of the circuit court; to fix the expiration date of such expense allowance.

By Mr. Leonard:

S. 519. To apply only in counties having populations of not less than 65,000 nor more than 95,000; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

By Messrs. Hogan and Collins (C) (with notice and proof):

H. 682. To amend further Section 6 of Act No. 13, H. 12, Second Special Session 1955, an act authorizing the Treasurer of Mobile County to appoint an Assistant Treasurer (Acts 1955, v. 1, p. 122).

By Mr. Smith (C):

H. 638. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing further for the distribution of a portion of the proceeds of the motor vehicle license and registration fees and the proceeds of state gasoline taxes between the county and the municipalities therein.

By Messrs. Hogan and Collins (C) (with notice and proof):

H. 681. To amend further Section 41, Title 62 of the Code of Alabama, 1940 relating to the compensation of the treasurer of Mobile County.

By Messrs. Engel, Pelham and McDermott:

S. 100. Relating to counties having populations of not less than 300,000 nor more than 500,000; fixing the compensation of the judges of probate of such counties.

By Messrs. Grayson and Downing:

H. 536. To further amend Section 227 (1) of Title 13 of the Code of Alabama of 1940 which relates to: Salary of Solicitor in circuits having one county and not less than six nor more than nine circuit judges.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Jackson and Giles (with amendment):

S. 433. To amend Section 70 of Title 36, 1940 Code of Alabama (as amended) all of which relates to the penalty for violation by person whose license or driving privilege has been canceled, suspended, or revoked.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Merrill et al (with amendment):

H. 465. To amend Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955) an act regulating the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology, so as to regulate further such teaching and practices and the registration and license fees therefor.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn (with amendments):

S. 357. To prohibit and provide appropriate penalties for the removal, falsification or alteration of motor vehicle or engine identification numbers.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill et al:

H. 556. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds thereof.

By Mr. Merrill et al:

H. 557. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$15,000,000 principal amount of General Obligation Bonds of the State of Alabama for the acquisition, construction, equipment and improvement of mental health facilities, including mental health centers, hospitals for the mentally ill, and facilities for treatment and care of the mentally retarded.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Merrill et al:

H. 558. To authorize the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including mental health centers, hospitals for the mentally ill, and facilities for treatment and care of the mentally retarded, to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, that portion of an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes, levied by the act introduced as House Bill No. 556 at the 1967 Regular Session of the Legislature of Alabama, that was appropriated in the said act to the purpose of acquiring and constructing mental health facilities; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

By Mr. Merrill et al:

H. 559. To provide for the organization of a public corporation in the state to be known as Alabama Mental Health Building Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers of the Authority, including the power to provide for the acquisition, construction, and improvement of mental health facilities, consisting of mental health centers and facilities for the treatment and care of the mentally ill and the mentally retarded, and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by the act adopted at the 1967 Regular Session of the Legislature of Alabama that was introduced as House Bill No. 556 at said session, to the extent necessary to pay the principal of and the interest on bonds of the Authority as such principal and interest mature; to authorize the Authority to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that the said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of the funds of the Authority; and to provide for the dissolution of the Authority.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Albea (with substitute):

S. 10. To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Folsom, Givhan and Adams:

S. 332. Relating to taxation: To exempt drugs and medications, vitamins, minerals and other nutrients used in the production of livestock and poultry from the State Sales and Use Tax.

By Mr. Turner:

S. 483. To make an appropriation for payment of court costs, expenses and attorneys fees incurred in the defense of cases involving Health, Education and Welfare "Guidelines" in Education.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Nabors, Radney and Goodwyn (with substitute):

S. 274. To amend further Code of Alabama 1940, Title 22, Section 199, which relates to the state subsidy for the care of indigent patients in tuberculosis sanatoria.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Gilmore, Giles, Branyon, Carr, Givhan, Lindsey, Hawkins, Childs, McCarley, Bailes, Vacca, McDermott, Pelham, Morrow, Torbert, Engel, Oden, Clark, Lolley and Folsom (with amendment):

S. 499. Creating the Alabama Sesquicentennial Commission, defining the powers and duties of the Commission and making an appropriation therefor.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 521. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political sub-divisions and the instrumentalities of the state and the political sub-divisions thereof; Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pruitt et al (with amendment):

H. 49. To provide Supernumerary Tax Collectors, Tax Assessors, License Commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama; describing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and providing for the payment of their salaries.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turnham:

H. 62. To make an appropriation for capital outlay for the Alabama Pesticide Residue Laboratory of the Department of Agriculture and Industries.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Bowers, Jackson (T) and Pennington (with amendment):

H. 116. To provide for the renovation, remodeling, and equipment of certain space in the Capitol Building for the use of the members of the House of Representatives and House committees, making an appropriation for such purpose.

By Mr. House et al (with amendment):

H. 238. To provide a legal defense fund for the benefit of state law enforcement officers in certain cases.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pennington:

H. 267. To amend Section 1 of Act No. 223 of the Special Session of 1967, approved May 10, 1967, which amends Section 692, among other sections of the motor vehicle license laws, Title 51, Code of Alabama 1940.

By Mr. Pruitt:

H. 291. To amend Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama to reallocate the revenues derived from the tax authorized by said Act and to appropriate so much of said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$5,000,000.00 in aggregate principal amount.

By Mr. Pruitt:

H. 292. To authorize the State Industrial Development Authority to sell and issue from time to time not exceeding \$5,000,000 principal amount of its bonds in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

By Messrs. Drake, Starnes and McDonald:

H. 332. Relating to public education; authorizing and providing for the acquisition, operation, and maintenance of Snead Junior College as a state educational institution, and making an appropriation in furtherance of such purpose.

By Mr. Turnham:

H. 383. To amend Section 3 of Act No. 132, H. 105, Legislature of 1965, Second Special Session, approved October 1, 1965 (Acts of 1965 2nd and 3rd Special Sessions, p. 185) by providing that a portion of funds appropriated thereunder for expenditures during the fiscal year ending September 30, 1967 may be used and expended for capital outlay purposes.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCorquodale et al (with amendment):

H. 496. To amend further Title 51, Sections 692, 697 and 703, Code of Alabama 1940, so as to make further provisions respecting licenses and registration fees on motor vehicles and trailers.

RESOLUTIONS

Messrs. Gilmore, Vacca, Hawkins, Dominick, Morrow, Childs, Bailes and Jackson offered the following Senate Joint Resolution, to-wit:

S. J. R. 71. WHEREAS, the election of Alabama Girls State Governor Cathy Johnson of Birmingham as President of Girls Nation has brought honor and recognition to our State; and

WHEREAS, the election of Miss Margaret Hayes of Brewton, Alabama's alternate delegate to this national conference, as President Pro Tempore of the Girls Nation Senate brings further glory to Alabama; and

WHEREAS, much credit for these accomplishments is due to the outstanding Girls State program in Alabama conducted for many years by the American Legion Auxiliary; and

WHEREAS, all of Alabama is proud of Miss Johnson and Miss Hayes for their abilities of leadership, their vivacious personalities, their Southern charm—all of which reflects so forcefully to the nation the sterling of Alabama's youth; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express our congratulations and deep pride to these two young ladies, and send copies of this resolution to them and to Mrs. Mary George Waite, director of the Alabama Girls State.

On motion of Mr. Gilmore, the Rules were suspended and the Resolution was adopted by the Senate.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 72. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Twenty-sixth Legislative Day only:

H. B. 24, Page 59
H. B. 33, Page 61
H. B. 29, Page 60
H. B. 32, Page 61
H. B. 397, Page 61
H. B. 398, Page 62
H. B. 399, Page 62
H. B. 396, Page 64
H. B. 23, Page 56
H. B. 27, Page 57
H. B. 30, Page 58
H. B. 28, Page 57
H. B. 34, Page 57
H. B. 26, Page 58
H. B. 25, Page 59
S. B. 102, Page 68

Mr. Radney offered the following amendment to the Resolution, S. R. 72, to-wit:

AMENDMENT TO S. R. 72

Amend Senate Resolution No. 72 by adding immediately after the word "only," "S. B. 102, page 68" and deleting the same where it appears after "H. B. 25, page 59."

Which was adopted.

Mr. Childs offered the following substitute for the Resolution, S. R. 72, as amended, to-wit:

SUBSTITUTE FOR SENATE RESOLUTION 72, AS AMENDED

That the following bills shall be the paramount order of business for the Twenty-sixth Legislative Day only:

All local bills and all general bills with local application as they appear on the Calendar:

H. B. 403, Page 21
H. B. 402, Page 21
S. B. 457, Page 30
S. B. 98, Page 12
H. B. 312, Page 85

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am herewith transmitting to you a message from the Governor returning Senate Joint Resolution No. 49.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

August 1, 1967

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning herewith to you Senate Joint Resolution No. 49. Let me commend you for passing this Resolution and I can assure you that it has my approval.

I would like to suggest an amendment to the resolution which would have my approval even more and which would require the flying of the flags on all occasions, not just at Homecoming, when State supported institutions of higher learning have scheduled football contests within the State of Alabama. Therefore, I recommend that the Resolution be amended to read as follows:

"WHEREAS, the State of Alabama has become a symbol and a shining light for the preservation of liberty and freedom; and

"WHEREAS, people throughout the United States are thankful for the leadership Alabamians are giving in the present fight for the preservation of the right of the people to govern themselves; and

"WHEREAS, the Alabama State Flag and the Confederate Battle Flag have today become beacons for those who believe in local self-government, private property rights and individual liberty and freedom; and

"WHEREAS, it is the express desire of the Governor of Alabama, Her Excellency Lurleen B. Wallace, in order to pay tribute to this rich heritage of the State of Alabama, that all State supported institutions of higher learning should prominently display or caused to be displayed the Alabama Flag and the Confederate Battle Flag along with the American Flag at all regularly scheduled football contests held within the State of Alabama and that the band play the "Star Spangled Banner", "Alabama" and "Dixie" respectively as each flag is hoisted; and

"WHEREAS, it is both fitting and proper, therefore, that the Governor's desire should be implemented:

"NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses concurring, that all State supported institutions of higher learning in the State of Alabama are hereby requested to fly the Alabama State Flag and the Confederate Battle Flag along side the

American Flag on prominent flagpoles or upon a single flagpole at each football contest held within the State of Alabama by said institution and that the bands play the "Star Spangled Banner", "Alabama" and "Dixie" respectively as each flag is hoisted.

"BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the President of each of the State supported institutions of higher learning in the State of Alabama."

This suggested amendment has the approval of the sponsor of the original resolution.

Sincerely yours,

LURLEEN B. WALLACE,
Governor of Alabama.

August 1, 1967

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and referred to the Standing Committee on Rules.

RECESS

At 2:40 P. M., on motion of Mr. Dominick, the Senate took a recess until 3:10 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

FURTHER CONSIDERATION OF S. R. 72

The Senate proceeded to further consideration of the Resolution, S. R. 72, as amended. The question was on the substitute offered by Mr. Childs.

ADJOURNMENT

At 5:27 P. M., on motion of Mr. Pelham, pending further consideration of the Resolution, S. R. 72, the Senate adjourned until Thursday, August 3, 1967, at 10 o'clock A. M.

Yeas 18; Nays 16.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Branyon	Folsom	Lindsey	Pelham	
Carr	Giles	Lolley	Stone	
Clark	Givhan	McCarley	Turner	
Cooper	Jackson	McDermott		—18

Nays:

Messrs.:	Gilmore	Morrow	Radney	
Albea	Goodwyn	Nabors	Skidmore	
Bailes	Harris	O'Bannon	Torbert	
Childs	Hawkins	Pierce	Vacca	
Dominick				—16

TWENTY-SEVENTH LEGISLATIVE DAY

THURSDAY, AUGUST 3, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Chaplain (Lt. Col.) Norman G. Folkers, Lutheran Chaplain, Maxwell Air Force Base, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Radney
Carr	Givhan	McDermott	Skidmore
Childs	Goodwyn	Morrow	Stone
Clark	Harris	Nabors	Torbert
Cooper	Hawkins	O'Bannon	Turner
Dominick	Jackson	Oden	Vacca
Engel	Leonard		

—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams and Albea for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 531. To provide that agents or employees of the Public Service Commission designated in writing by the Public Service Commission shall be peace officers of the State of Alabama with police powers to enforce the provisions of the laws pertaining to the Public Service Commission of this State; to provide for an arrest fee of five dollars (\$5.00) and the disposition thereof.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 532. To provide penalties for carrying out orders and mandates issued by the United Nation Organization.

Committee on Judiciary.

By Mr. Radney (by request):

S. 533. To amend Code of Alabama 1940, Title 3, Section 9 relating to the crime of wanton or malicious injury to animals or articles and commodities of value.

Committee on Judiciary.

By Messrs. McDermott, Engel and Pelham:

S. 534. To amend Act No. 374, S. 213, approved August 10, 1965, an act creating the office of judge of the juvenile court in all counties having populations of not less than 225,000 nor more than 500,000, so as to impose extra, new and additional duties upon the judge of such court and to provide said judge with an allowance for the performance of such duties.

Committee on Local Legislation No. 1.

By Mr. Folsom:

S. 535. To create a hospital board in and for all counties having populations of not less than 51,000 nor more than 55,000, according to the most recent federal decennial census; to prescribe the jurisdiction, powers, and authority of the board with respect to the operation and maintenance of any county, municipal or other public hospital presently or hereinafter operated in said counties; to provide for the organization of the board, and for the appointment, qualifications, terms, compensation, powers, and duties of members of the board, and to repeal Act No. 374 approved July 6, 1943, Act No. 436 approved July 6, 1945, and all other conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Lolley:

S. 536. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Committee on Public Roads and Highways.

By Mr. Harris:

S. 537. To alter, rearrange and extend the boundaries of the City of Decatur, in Morgan County:

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Decatur, in Morgan County:

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Decatur in Morgan County, are hereby altered, rearranged and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory, (a portion of which is now within such corporate limits), situated in Morgan County, Alabama:

All of Section 31, and all of Section 32, Township 5 South, Range 4 West;

All of Section 5 and all of Section 6, Township 6 South, Range 4 West;

The North $\frac{1}{2}$ of Section 7 and the North $\frac{1}{2}$ of Section 8, Township 6 South, Range 4 West;

All of Section 2, and all of Section 3, Township 6 South, Range 5 West; and

The North $\frac{1}{2}$ of Section 10 and the North $\frac{1}{2}$ of Section 11, Township 6 South, Range 5 West.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 29, and August 2, all in the year 1967.

B. C. SHELTON.

Sworn to and subscribed before me August 2, 1967.

R. H. JERVIS,
Notary Public.

My commission expires October 7, 1967.

By Mr. Vacca:

S. 538. To authorize the alcoholism division, state department of mental health, to expend a portion of its appropriations for the current year for the purchase of equipment.

Committee on Finance and Taxation.

By Mr. Goodwyn:

S. 539. To improve and upgrade law enforcement in the State of Alabama; to prescribe minimum qualifications and a minimum salary for law enforcement officers and to provide for amending and changing such qualifications; to encourage special police training for law enforcement officers; to provide for payment of a part of all fines and penalties imposed for certain criminal offenses into the Law Enforcement Officers Training Fund, hereby established in the state treasury, and regulating expenditures therefrom; to establish the Alabama Peace Officers Standards and Training Commission, provide for the appointment, term and compensation of members thereof, prescribe the powers and duties of such commission, and to charge it with the duty of administering and effectuating the purposes of this act.

Committee on Judiciary.

By Mr. Givhan:

S. 540. To authorize the Farmers Market Authority to allocate and pay out \$10,000 of appropriations made to it for capital outlay purposes to the use and benefit of Northeast Alabama Farmers Produce Market, Inc., of Fort Payne.

Committee on Agriculture.

By Mr. Turner:

S. 541. To amend further Code of Alabama 1940, Title 28, Section 321, which relates to the state insurance fund; providing for purchase of reinsurance by the director of finance and collection of agents' commissions thereon.

Committee on Finance and Taxation.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 73. **RESOLVED BY THE SENATE** That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

H. B. 556, Page 96

H. B. 557, Page 96

H. B. 558, Page 97

H. B. 559, Page 98

H. B. 291, Page 104

H. B. 292, Page 105

S. B. 66, Page 10

S. B. 67, Page 10

S. B. 306, Page 11

S. B. 209, Page 36

S. B. 98, Page 12

H. B. 403, Page 21

H. B. 402, Page 21

S. B. 364, Page 11

S. B. 366, Page 16

S. B. 217, Page 15

S. B. 318, Page 15

S. B. 40, Page 14

S. B. 41, Page 14

S. B. 404, Page 19

S. B. 460, Page 30

Mr. Radney offered the following amendment to the Resolution, S. R. 73, to-wit:

AMENDMENT TO SENATE RESOLUTION 73

Amend Senate Resolution No. 73 by adding immediately after the words "Order of Business" Senate Bill No. 102 on page 68 of the Calendar.

Which was adopted.

Mr. McCarley offered the following amendment to the Resolution, S. R. 73, as amended, to-wit:

AMENDMENT TO S. R. 73

Amend S. R. 73 by adding immediately after the words "Order of Business" the following "All local bills and General Bills of local application.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 20; Nays 8.

Yeas:

Messrs.:	Giles	Lindsey	Radney
Branyon	Givhan	Lolley	Skidmore
Clark	Goodwyn	McDermott	Stone
Cooper	Jackson	Nabors	Torbert
Engel	Leonard	Pelham	Turner
Folsom			

—20

Nays:

Messrs.:	Gilmore	McCarley	Pierce
Bailes	Hawkins	Morrow	Vacca
Dominick			

—8

And said Resolution, S. R. 73, as amended, was then adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lolley:

S. 530. To provide for the creation of departments of engineering for all counties of this state having a population of not less than 30,550 nor more than 31,000; to provide for the composition of said departments of engineering; to provide for the appointment of county engineers; to prescribe the qualifications, powers and duties of said county engineers.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stone (with substitute):

S. 528. To authorize the Governing Body of any County to create a County Planning Commission; to permit members of the County Governing Body, including its presiding officer, to serve on a County Planning Commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such Commissions; to authorize counties to adopt regulations for the subdivision of land within the county, and to provide for their administration through a County Planning Commission; to authorize counties to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings, the density of population; to provide for County Boards of Zoning Adjustment and define the authority, powers, and functions of such Boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by counties under the authority of this Act; and to provide for penalties for violations of this Act and regulations and resolutions made by counties pursuant to this Act.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pruitt and Manley:

H. 541. To create a board of trustees to manage and control Livingston State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Livingston State College of all supplies, funds, books, documents, records and other property or effects of such college.

By Messrs. Bassett and Hardin:

H. 503. To create a board of trustees to manage and control Troy State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term

of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Troy State College of all supplies, funds, books, documents, records and other property or effects of such college.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. House et al (with notice and proof):

H. 628. To alter and rearrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of the City of Mountain Brook, Alabama, all territory now within such corporate limits and also certain other territory.

By Mr. Kilgore et al:

H. 714. To provide for public highways, streets and bridges in any county having a population in excess of 600,000, according to the last or any succeeding Federal Census; and to that end to require that each such county provide the services of a county engineer for its highway, street and bridge program and to make further provisions for the distribution among any such county and the municipalities therein of (1) those portions of the net proceeds from the State Gasoline Excise Tax that are allocated or apportioned to such county by Sections 3 and 4 of Act No. 224 adopted at the Special Session of the Legislature of Alabama that convened on March 2, 1967.

By Mr. Adwell et al (with notice and proof):

H. 715. To amend Section 2 of Act Number 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Acts of Alabama, 1966 Special Session, Page 280, et seq.), entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the Fire Department of said city prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956; to include in said separate system dependents of said presently active employees; and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents.

By Mr. Adwell et al:

H. 716. To amend Sections 8 and 9 of Act No. 556 of the Regular Session of the Legislature of Alabama, approved November 19, 1959 (Acts of Alabama of 1959, pages 1376, et seq.) entitled "An Act to establish a Pension and Relief or Retirement and Relief System for Firemen and Policemen who are members of any Pension and Relief or Retirement and Relief System heretofore established or hereafter established under Act Number 929 of Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama 1951, page 1579 et seq. as amended) and on whose account, or for whose benefit, the City by whom they are employed makes no contribution, or pays no tax, to the United States of America under the Federal Social Security Act; to provide certain disability benefits for such Firemen and Policemen and also certain benefits for the widows and children of any such Firemen or Policemen who die;

to make provision for a supplemental retirement benefit for such Firemen and Policemen, if and when said Act No. 929 is amended as stipulated in this Act; to provide that from the funds of the system established by this Act certain payments shall be made to the fund of the system established by said Act No. 929, subject to said Act No. 929 being amended so as to authorize the Board of Managers of the System created by said Act Number 929 to receive said payments; to establish a Board of Managers for the Pension System hereby created and to provide for the method of selection of the said Board and to define the power, authority and duties of the said Board of Managers; to provide for the actuarial study, investigation and report showing the probable ability or inability of the fund hereby created to meet the benefits provided for by the System created by this Act; to provide for paying from funds of the System expenses incurred in securing any such actuarial study, investigation and report; to provide that at least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or senatorial district wherein there is established any Pension System provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said System to meet the benefits provided, which said report or survey shall give such opinion separately and severally with respect to each of the said benefits, and which said report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the Fund, and if so, what change or changes he considers necessary; and to provide that the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama".

By Mr. Adwell et al (with notice and proof):

H. 717. To amend Section 2 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the Legislature of 1923, as re-enacted and amended: to include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents".

By Mr. Adwell et al:

H. 718. To further amend Section 4 and Section 12 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), entitled "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such system".

By Mr. Adwell et al (with notice and proof):

H. 713. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966, an Act providing for creation of special districts for Fire Prevention, Garbage disposal and other purposes in Jefferson County (Acts, Special Session 1966, p. 106).

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bank, Culver, Brown and Fine:

H. 633. To provide for civil service regulations to govern employees of the state institution located at Tuscaloosa known as Hale Memorial Hospital.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Merrill et al:

H. 492. To provide for the organization, creation, and operation of a state law institute as an official advisory law revision, law reform, and legal research agency of the State of Alabama.

BILLS ON THIRD READING

The Bill:

S. 102. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 27; Nay 1.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham
Bailes	Givhan	Lolley	Pierce
Clark	Goodwyn	McCarley	Radney
Cooper	Harris	McDermott	Skidmore
Dominick	Hawkins	Morrow	Stone
Engel	Jackson	Nabors	Torbert
Folsom	Leonard	Oden	Vacca

—27

Nay: Mr. Turner

—1

The Bill:

H. 556. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds thereof.

was taken up.

Mr. Cooper offered the following amendment to the Bill, H. B. 556, to-wit:

AMENDMENT TO H. B. 556

Amend section 3 of H. B. 556 by adding thereto subparagraph (c) to read as follows:

(c) From the proceeds of the tax levied by this Act, the administrative cost of this Act, not to exceed \$125,000 for the fiscal year ending September 30, 1968, and not to exceed \$100,000 for the fiscal year ending September 30, 1969, is hereby appropriated to the state department of revenue, to be allotted and budgeted under Title 55, Code of Alabama 1940, as amended, in addition to the regular appropriation to such department.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Skidmore	
Carr	Gilmore	McCarley	Stone	
Clark	Harris	McDermott	Torbert	
Cooper	Hawkins	Morrow	Turner	
Dominick	Jackson	Nabors	Vacca	
				—27

Nays:

—0

And said Bill, H. B. 556, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Folsom	Leonard	Radney	
Branyon	Giles	Lindsey	Skidmore	
Carr	Gilmore	Lolley	Stone	
Clark	Givhan	McCarley	Torbert	
Cooper	Goodwyn	McDermott	Turner	
Dominick	Harris	Nabors	Vacca	
Engel	Jackson	Pelham		
				—26

Nays:

Messrs.:	Hawkins	Morrow	Pierce	
Bailes				—4

The Bill:

H. 557. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$15,000,000 principal amount of General Obligation Bonds of the State of Alabama for the acquisition, construction, equipment and improvement of mental health facilities, including mental health centers, hospitals for the mentally ill, and facilities for treatment and care of the mentally retarded.

Was read a third time at length as required by the Constitution and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	Pelham
Bailes	Folsom	Leonard	Pierce
Branyon	Giles	Lindsey	Radney
Carr	Gilmore	Lolley	Skidmore
Clark	Givhan	McCarley	Stone
Cooper	Goodwyn	McDermott	Torbert
Dominick	Harris	Nabors	Vacca

—27

Nays:

—0

The Bill:

H. 558. To authorize the sale and issuance of not exceeding \$15,-000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including mental health centers, hospitals for the mentally ill, and facilities for treatment and care of the mentally retarded, to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, that portion of an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes, levied by the act introduced as House Bill No. 556 at the 1967 Regular Session of the Legislature of Alabama, that was appropriated in the said act to the purpose of acquiring and constructing mental health facilities; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Bailes	Folsom	Lindsey	Pierce
Branyon	Giles	Lolley	Skidmore
Carr	Gilmore	McCarley	Stone
Childs	Givhan	McDermott	Torbert
Clark	Goodwyn	Morrow	Turner
Cooper	Harris	Nabors	Vacca
Dominick	Hawkins		

—29

Nays:

—0

The Bill:

H. 559. To provide for the organization of a public corporation in the state to be known as Alabama Mental Health Building Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers of the Authority, including the power to provide for the acquisition, construction, and improvement of mental health facilities, consisting of mental health centers and facilities for the treatment and care of the mentally ill and the mentally retarded, and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all

bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by the act adopted at the 1967 Regular Session of the Legislature of Alabama that was introduced as House Bill No. 556 at said session, to the extent necessary to pay the principal of and the interest on bonds of the Authority as such principal and interest mature; to authorize the Authority to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that the said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of the funds of the Authority; and to provide for the dissolution of the Authority.

Was read a third time at length and passed.

Yeas 22; Nays 5.

Yeas:

Messrs.:	Engel	Lindsey	Skidmore	
Branyon	Folsom	Lolley	Stone	
Carr	Gilmore	McCarley	Torbert	
Clark	Givhan	McDermott	Turner	
Cooper	Goodwyn	Pelham	Vacca	
Dominick	Harris	Radney		—22

Nays:

Messrs.:	Childs	Morrow	Pierce	
Bailes	Hawkins			—5

The Bill:

H. 291. To amend Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama to reallocate the revenues derived from the tax authorized by said Act and to appropriate so much of said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$5,-000,000.00 in aggregate principal amount.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick				—28

Nays:

—0

The Bill:

H. 292. To authorize the State Industrial Development Authority to sell and issue from time to time not exceeding \$5,000,000 principal amount of its bonds in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the

said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Bailes	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Carr	Gilmore	McCarley	Stone	
Childs	Givhan	McDermott	Torbert	
Clark	Goodwyn	Morrow	Vacca	
Cooper	Harris	Nabors		—26

Nays:

—0

The Bill:

S. 66. To amend further Section 38 of Title 8, Code of Alabama (1940) which provides for resident state fishing licenses.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Folsom	Hawkins	Nabors	
Bailes	Giles	Leonard	Peiham	
Childs	Gilmore	Lindsey	Pierce	
Clark	Givhan	Lolley	Radney	
Cooper	Goodwyn	McCarley	Stone	
Dominick	Harris	McDermott	Torbert	

—23

Nays:

—0

The Bill:

S. 67. To amend Section 41 of Title 8, Code of Alabama (1940) which provides the penalty for fishing without a license.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Oden
Childs	Gilmore	Lindsey	Pelham
Clark	Givhan	Lolley	Pierce
Cooper	Goodwyn	McCarley	Radney
Dominick	Harris	McDermott	Stone
Folsom	Hawkins	Nabors	Torbert
			—23

Nays: —0

The Bill:

S. 306. To amend Title 8, Section 40, Code of Alabama 1940, which pertains to non-resident trip fishing licenses.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Carr	Gilmore	Lolley	Radney
Childs	Givhan	McCarley	Stone
Clark	Goodwyn	McDermott	Torbert
Cooper	Harris	Nabors	Turner
Dominick	Hawkins	Oden	Vacca
Engel			—28

Nays: —0

The Bill:

S. 209. To make an appropriation from the state treasury to the use of the directors or trustees of Eufaula Heritage Association for the purpose of converting the Shorter Mansion located at Eufaula into a museum.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Radney
Carr	Givhan	McCarley	Skidmore
Childs	Goodwyn	McDermott	Stone
Clark	Harris	Nabors	Torbert
Cooper	Hawkins	Oden	Vacca
			—27

Nays: —0

The Bill:

S. 98. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 98, to-wit:

SUBSTITUTE FOR S. B. 98

A BILL
TO BE ENTITLED
AN ACT

Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Be It Enacted by the Legislature of Alabama:

Section 1:

(a) Any person who operates a motor vehicle upon the public highways of this State shall be deemed to have given his consent, subject to the provisions of this act, to a chemical test or tests of his blood, breath or urine for the purpose of determining the alcoholic content of his blood if lawfully arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the public highways of this State while under the influence of intoxicating liquor. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered. Such person shall be told that his failure to submit to such a chemical test will result in the suspension of his privilege to operate a motor vehicle for a period of six months.

(b) Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this section and the test or tests may be administered, subject to the provisions of this act.

(c) If a person under arrest refuses upon the request of a law enforcement officer to submit to a chemical test designated by the law enforcement agency as provided in paragraph (a) of this section, none

shall be given, but the Director of Public Safety, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this State while under the influence of intoxicating liquor and that the person had refused to submit to the test upon the request of the law enforcement officer, shall suspend his license or permit to drive, or the privilege of driving a motor vehicle on the highways of this State given to a non-resident or if the person is a resident without a license or permit to operate a motor vehicle in this State, the Director shall deny to the person the issuance of a license or permit for a period of six months after the date of the alleged violation, subject to review as hereinafter provided.

(d) Upon suspending the license or permit to drive or the privilege of driving a motor vehicle on the highways of this State given to a non-resident of any person, or upon determining that the issuance of a license or permit shall be denied to the person, as hereinbefore in this section directed, the Director of Public Safety or his duly authorized agent shall immediately notify the person in writing and upon his request shall afford him an opportunity for a hearing in the same manner and under the same conditions as is provided in Section 68 of Title 36 of the 1940 Code of Alabama, as amended, for notification and hearings in the cases of suspension of licenses, except that the scope of such a hearing for the purposes of this section shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the public highways of this State while under the influence of intoxicating liquor, whether the person was placed under arrest, and whether he refused to submit to the test upon request of the officer. Whether the person was informed that his privilege to drive would be suspended or denied if he refused to submit to the test shall not be an issue. The Director of Public Safety shall order that the suspension or determination that there should be a denial of issuance either be rescinded or sustained.

(e) If the suspension or determination that there should be a denial of issuance is sustained by the Director of Public Safety or his authorized agent upon such hearing, the person whose license or permit to drive or non-resident operating privilege has been suspended or to whom a license or permit is denied, under the provisions of this section, shall have the right to file a petition in the appropriate court to review the final order of suspension or denial by the Director or his duly authorized agent in the same manner and under the same conditions as is provided in Section 68 of Title 36 of the 1940 Code of Alabama, as amended, in the cases of suspensions and denials.

(f) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this State has been suspended the Director shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he has a license.

Section 2:

(a) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor, the amount of alcohol in the person's blood at the time of the chemical test or tests authorized by this Act as shown by chemical analysis of the person's blood, urine, breath, shall be admissible as evidence and give rise to the following presumptions:

1. If there was at that time 0.05 per cent or less by weight of alcohol in the person's blood, it shall be presumed that the person was not under the influence of intoxicating liquor.

2. If there was at that time in excess of 0.05 per cent but less than 0.10 per cent by weight of alcohol in the person's blood such fact shall not give rise to any presumption that the person was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor.

3. If there was at that time 0.10 per cent or more by weight of alcohol in the person's blood, it shall be presumed that the person was under the influence of intoxicating liquor.

4. Per cent by weight of alcohol in the blood shall be based upon milligram of alcohol per one hundred cubic centimeters of blood.

5. The foregoing provisions of paragraph (a) shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor.

(b) Chemical analyses of the person's blood, urine, breath to be considered valid under the provisions of this section shall have been performed according to methods approved by the State Board of Health and by an individual possessing a valid permit issued by the State Board of Health for this purpose. The State Board of Health is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the State Board of Health.

(c) Only a physician, registered nurse or duly licensed clinical laboratory technologist or clinical laboratory technician acting at the request of a law enforcement officer may withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of breath or urine specimens.

(d) The person tested may, at his own expense, have a physician, registered nurse, duly licensed clinical laboratory technologist or clinical laboratory technician or any other qualified person of his own choosing administer a test, in addition to any administered at the direction of a law enforcement officer, for the purpose of determining the amount of alcohol in his blood at the time alleged as shown by chemical analysis of his blood, breath or urine. The failure of inability to obtain an additional test by such arrested person shall not preclude the admissibility in evidence of the test taken at the direction of a law enforcement officer.

(e) If the test given under Section 1 of this Act is a chemical test of urine, the person tested shall be given such privacy in the taking of the urine specimen as will insure the accuracy of the specimen and, at the same time, maintain the dignity of the individual involved.

(f) Upon the written request of the person tested full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or to his attorney.

(g) No physician, registered nurse or duly licensed clinical laboratory technologist or clinical laboratory technician shall incur any civil or criminal liability as a result of the proper administering of a blood test when requested in writing by a law enforcement officer to administer such a test.

(h) If a person under arrest refuses to submit to a chemical test under the provisions of this act, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was driving or in actual

physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor.

Section 3:

Whenever and wherever the words "driving privilege" or "privilege" appear herein, it shall mean both the driver license of those licensed in Alabama, and the driving privilege of unlicensed residents and the privilege of non-residents, licensed or not; the purpose of this section being to make unlicensed and non-resident drivers subject to the same penalties as licensed residents.

Section 4:

This Act may be cited as the Alabama Chemical Test for Intoxication Act.

Section 5:

If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application and to this end the provisions of this Act are declared to be severable.

Section 6:

All laws or parts of laws which are in conflict or inconsistent with the provisions of this Act are hereby repealed.

Section 7:

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Dominick offered the following amendment to the substitute for the Bill, S. B. 98, to-wit:

AMENDMENT

Amend Section 1(a) of S. 98 as substituted by adding at the end of said section the following words:

"provided however, that if such person objects to a blood test, the law enforcement agency shall designate that one or the other aforesaid tests be administered."

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 98, was then adopted.

Yeas 19; Nays 6.

Yeas:

Messrs.:	Gilmore	Lindsey	Nabors
Bailes	Givhan	Lolley	Pelham
Childs	Hawkins	McCarley	Pierce
Cooper	Jackson	McDermott	Radney
Dominick	Leonard	Morrow	Vacca

—19

Nays:

Messrs.:	Harris	Skidmore	Turner
Goodwyn	Oden	Torbert	

—6

Mr. McDermott offered the following amendment to the Bill, S. B. 98, as amended by the substitute, to-wit:

AMENDMENT TO S. B. 98, AS AMENDED

Amend S. B. 98 as follows: Strike out the title and subsection (a) of Section 1 and insert in lieu thereof the following:

"Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors."

"Section 1.

"(a) Any person who operates a motor vehicle upon the public highways of this State shall be deemed to have given his consent, subject to the provisions of this act, to a chemical test or tests of his blood, breath or urine for the purpose of determining the alcoholic content of his blood if lawfully arrested for any offense arising out of acts alleged to have been committed while the person was driving a motor vehicle on the public highways of this state while under the influence of intoxicating liquor. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving a motor vehicle upon the public highways of this State while under the influence of intoxicating liquor. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered. Such person shall be told that his failure to submit to such a chemical test will result in the suspension of his privilege to operate a motor vehicle for a period of sixty days."

Which was adopted.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Folsom	Leonard	Pierce
Bailes	Giles	Lindsey	Radney
Carr	Gilmore	Lolley	Skidmore
Childs	Givhan	McCarley	Stone
Cooper	Goodwyn	McDermott	Turner
Dominick	Hawkins	Morrow	Vacca
Engel	Jackson	Pelham	

—26

Nays: Messrs. Harris, Nabors, Torbert

—3

Mr. McDermott then offered the following amendment to the Bill, S. B. 98, as amended, to-wit:

Amendment to S. B. 98, as amended

Amend S. B. 98 as follows: In sub-section (c) of Section 1 strike out the words "six months" where they first appear together therein and insert in lieu thereof the words "sixty days".

Which was adopted.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Engel	Hawkins	Pierce	
Bailes	Folsom	Jackson	Radney	
Carr	Giles	Leonard	Skidmore	
Childs	Gilmore	McDermott	Torbert	
Clark	Givhan	Morrow	Turner	
Cooper	Goodwyn	O'Bannon	Vacca	
Dominick	Harris	Pelham		—26

Nays: Messrs.: Lindsey, McCarley, Nabors —3

Mr. McDermott then offered the following amendment to the Bill, S. B. 98, as amended, to-wit:

AMENDMENT NO. 3 TO S. B. 98, AS AMENDED

Amend S. B. 98 as follows: In sub-sections (c) and (d) of Section 1, strike out the words "or was in actual physical control of" where they appear together therein. Also in sub-section (a) of Section 2, strike out the words "or in actual physical control of" where they appear together therein.

Which was adopted.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Givhan	Lolley	Pierce	
Bailes	Goodwyn	McCarley	Radney	
Childs	Harris	McDermott	Skidmore	
Cooper	Hawkins	Morrow	Stone	
Dominick	Jackson	Nabors	Torbert	
Engel	Leonard	O'Bannon	Turner	
Folsom	Lindsey	Pelham	Vacca	
Giles				—28

Nay: Mr. Oden —1

Mr. Dominick then offered the following amendment to the Bill, S. B. 98, as amended, to-wit:

AMENDMENT TO S. B. 98, AS AMENDED

Amend Section 1(a) of S. B. 98 as amended or substituted by adding at the end of said section the following words:

"provided however, that if such person objects to a blood test, the law enforcement agency shall designate that one of the other aforesaid tests be administered."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Cooper	Folsom	Givhan
Bailes	Dominick	Giles	Goodwyn
Childs	Engel	Gilmore	Harris

Hawkins	McDermott	Pelham	Stone
Jackson	Morrow	Pierce	Torbert
Lindsey	Nabors	Radney	Turner
Lolley	O'Bannon	Skidmore	Vacca
McCarley			—28

Nays: —0

Mr. Torbert moved that further consideration of the Bill, S. B. 98, as amended, be postponed until the Twenty-Ninth Legislative Day.

On motion of Mr. Radney, the motion to postpone was laid on the table.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Giles	Leonard	Nabors
Bailes	Gilmore	Lindsey	Radney
Childs	Givhan	McDermott	Stone
Cooper	Hawkins	Morrow	Vacca
Dominick	Jackson		—17

Nays:

Messrs.:	Folsom	McCarley	Pierce
Branyon	Goodwyn	O'Bannon	Skidmore
Clark	Harris	Oden	Torbert
Engel	Lolley	Pelham	Turner
			—15

Mr. McCarley moved that further consideration of the Bill, S. B. 98, as amended, be postponed until the next Legislative Day.

Mr. Radney moved that the motion to postpone be laid on the table, which resulted in a tie vote.

Yeas 15; Nays 15.

Yeas:

Messrs.:	Dominick	Leonard	Nabors
Bailes	Gilmore	Lindsey	Radney
Childs	Hawkins	McDermott	Stone
Cooper	Jackson	Morrow	Vacca
			—15

Nays:

Messrs.:	Giles	McCarley	Pierce
Branyon	Goodwyn	O'Bannon	Skidmore
Engel	Harris	Oden	Torbert
Folsom	Lolley	Pelham	Turner
			—15

The President and Presiding Officer of the Senate voted "Aye"; therefore, the motion to table prevailed.

RECESS

At 12:35 P. M., on motion of Mr. Goodwyn, the Senate took a recess until 2 o'clock this afternoon.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Branyon	Givhan	McCarley	Skidmore	
Cooper	Goodwyn	O'Bannon	Stone	
Engel	Harris	Oden	Torbert	
Folsom	Jackson	Pelham	Turner	—19

Nays:

Messrs.:	Gilmore	Lindsey	Nabors	
Bailes	Hawkins	McDermott	Radney	
Childs	Leonard	Morrow	Vacca	
Dominick				—12

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 2. Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

Also:

S. 256. To amend Act No. 603, H. B. 69, Regular Session 1957, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies (Acts 1957, v. 2, p. 862), so as to regulate further the fees imposed for examination of credit unions.

Also:

S. 257. Relating to payment by credit unions of share and deposit accounts not exceeding one thousand dollars (\$1,000) on the death of persons having such accounts; and discharging credit unions from further liability in respect to such accounts by payment of same to designated persons.

Also:

S. 325. To amend Section 8 of Act No. 861, S. 14, Regular Session of the Legislature of 1951 (Acts of 1951, Vol. 2, p. 1496), approved September 12, 1951, which relates to the registration of cattle brands and the duty of livestock markets, dealers and slaughterers relative to keeping records of cattle brands.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 232. To make an additional appropriation to the State Board of Education for the purpose of purchasing Free Textbooks.

Also:

S. 174. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development and contracts for the furnishing of fiscal or financial advice or services.

Also:

S. 348. To amend Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to provide for the continued existence of any corporation organized under the said act until dissolved in the manner provided therein.

Also:

S. 290. To amend Code of Alabama 1940, Title 55, Section 110, which requires that public printing and binding shall be done under contracts.

Also:

S. 48. To amend Title 51, Section 569, Code of Alabama, in relation to the license payable by photographers and photograph galleries.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF S. B. 98

The Senate proceeded to further consideration of the Bill, S. B. 98, as amended.

Mr. Goodwyn moved that further consideration of the Bill, S. B. 98, as amended, be postponed until the Thirtieth Legislative Day. On motion of Mr. Radney, the motion to postpone was laid on the table.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Giles	Lindsey	Pelham	
Bailes	Gilmore	McDermott	Radney	
Branyon	Hawkins	Morrow	Stone	
Childs	Jackson	Nabors	Vacca	
Dominick	Leonard			—17

Nays:

Messrs.:	Folsom	McCarley	Skidmore	
Carr	Goodwyn	O'Bannon	Torbert	
Clark	Harris	Oden	Turner	
Engel	Lolley	Pierce		—14

And said Bill:

S. 98. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the ad-

missibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

as amended, was then read a third time at length and passed.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Giles	Lindsey	Pelham	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Stone	
Cooper	Hawkins	Morrow	Vacca	
Dominick	Leonard	Nabors		—18

Nays:

Messrs.:	Folsom	O'Bannon	Skidmore	
Carr	Goodwyn	Oden	Torbert	
Clark	Harris	Pierce	Turner	
Engel	Lolley			—13

The Bill:

H. 403. To preserve law and order by proscribing, prohibiting and penalizing incitement to crime or to riotous conduct.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Folsom	Leonard			—29

Nays:

—0

The Bill:

H. 402. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Childs	Hawkins	Morrow	Stone	
Clark	Jackson	Nabors	Torbert	
Cooper	Leonard	O'Bannon	Turner	
				—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Money, Merrill and Lybrand:

H. 246. To authorize the governing body of each county in this state which, during its then next preceding fiscal year, collected as much as or more than \$40,000 from the special tax at a rate not exceeding one-fourth of one per centum levied in the county under the provisions of Section 215 of the Constitution of Alabama for payment of any debt or liability created for the erection of necessary public buildings, bridges or roads, to sell and issue interest bearing warrants payable solely out of and in anticipation of the receipt by such county of its share of the gasoline excise taxes levied by Section 647 of the Code of Alabama of 1940, as amended, and by Act No. 674 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, and required by law to be distributed to that county; to authorize each such county to pledge for payment of the principal of and interest on the warrants so issued so much as may be necessary for that purpose of the receipts by it from the said gasoline excise taxes and to specify the priority of such pledges; to provide the purposes for which the proceeds from the sale of the said warrants may be used; to authorize each such county to sell and issue refunding warrants for the purpose of refunding the principal of outstanding warrants of the county together with the interest accrued thereon and any premium necessary to retire the warrants so refunded, whether such outstanding warrants were issued under this act or under any other law in effect at the time of the issuance thereof; to prohibit any county while subject to this act from issuing warrants payable from any part of the proceeds from the said gasoline excise taxes except under the provisions of this act; to repeal Act No. 728 adopted at the 1953 Regular Session of the Legislature of Alabama; and to repeal all general, special and local laws to the extent of any conflict with the provisions hereof.

Also:

By Messrs. Owen (Baldwin), Jackson (T), Brannan, Mays, McElhaney, Foshee, Owens (W), Stubbs, Hardin, Agee, Crawford, Young, Lemley, Fine, Headley, Berryman (R), Garrett, Collier, Snell, Stembridge, Higginbotham, Melton, Collins (C), Dill, Burgess, Bank, Culver, Brown, Downing, Grayson, Ellis, Beck, Pennington, Graham, Owens (W. E.), Pearson, Kilgore, Waggoner, Wright, McDonald, Starnes, McLain, Jackson (F), Tuck, Cook (Coffee), Berryman (W), Crane, Williams, Lybrand, Gloor, Laxson, Neville and Dobbs:

H. 507. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 246 and 507. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pruitt:

H. 458. To require all persons in charge of laboratories that perform tests for syphilis to make a report of reactive or positive tests to the State Board of Health; to authorize the Board of Health to make pertinent rules and regulations; to declare such reports confidential, and to provide punishment for violating this act or rules and regulations; to repeal conflicting laws; and to provide for the effective date hereof.

Also:

By Messrs. Pruitt and Manley:

H. 542. To authorize and provide for the exchange of certain lands between the Alabama Corrections Institution Finance Authority and the state highway department.

Also:

By Messrs. Agee and McCorquodale:

H. 318. To provide exemptions from taxation for certain plants and industries.

Also:

By Mr. Downing:

H. 178. To amend Title 51, Section 231, Code of Alabama, 1940, allowing State, counties, cities and towns to file suit to collect taxes and allowing tax collector of county to file in own name for taxes due such agencies for which they are responsible to collect the tax.

Also:

By Mr. Downing:

H. 177. To revise and amend Section 18 of Title 36 of the Code of Alabama of 1940 as amended, relating to "right of way" of motor vehicles.

Also:

By Messrs. Marr, Hogan, Wood, Collins (C), Collins (W), Downing, Grayson and Perloff:

H. 122. To further amend Section 1, Act No. 817, H. 298, Regular Session 1961, as amended by H. B. 52, Regular Session 1965, as approved August 26, 1965.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 458. To the Committee on Public Health

H. B.'s 542, 318 and 122. To the Committee on Finance and Taxation

H. B. 178. To the Committee on Counties and County Boundaries

H. B. 177. To the Committee on Public Roads and Highways

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Springer and Pennington:

H. 483. To authorize and direct the Board of Nursing created under Act No. 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615) to conduct a survey and study of nursing and nursing education and needs, establishing procedures for such survey and study and making appropriations therefor.

Also:

By Mr. Cameron:

H. 479. Further providing for the granting of additional power and authority for the elimination and prevention of the development or spread of slums and blight: Amending the title and Sections 2, 4, 5 and 7 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, P. 1210) so as to confer on and vest in municipal governing bodies the same additional powers, duties, and authority relative to the elimination and prevention of the development or spread of slums and blight that are conferred on and vested in housing authorities by said Act.

Also:

By Mr. Cameron:

H. 478. Further providing for the clearing of blighted areas and the prevention of blight: Amending the title and Sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Act No. 491, S. 402, Regular Session 1949 (Acts 1949, p. 713) so as to confer on and vest in municipal governing bodies the same powers, duties and authority relative to clearing blighted areas and preventing blight that are conferred on and vested in housing authorities by said act.

Also:

By Mr. Pennington:

H. 437. Relating to contractors bidding on highway work submitting a certified check or bid bond with their bid as proposal guaranty.

Also:

By Messrs. Bank, Brown and Culver:

H. 688. To provide for the operation and maintenance of the district tuberculosis sanatorium at Tuscaloosa and known and designated as Hale Memorial Hospital as an unincorporated state institution under the supervision and control of a board of trustees; to dissolve the corporation created pursuant to Act No. 914, H. 1226, of the Regular Session of 1961, to maintain and operate such hospital; to create a board of trustees for such hospital; to provide for the appointment, term and compensation of trustees; to prescribe the powers, duties and authority of such board of trustees; to transfer to such board of trustees all the powers, duty and authority heretofore had and exercised by the Hale Memorial Hospital corporation, except such as can only be had by a corporation; and to provide for the assumption by the board of trustees hereby established of the debts and liabilities of the dissolved corporation.

Also:

By Mr. Merrill:

H. 13. To make an additional appropriation for the expenses of the Court of Appeals.

Also:

By Mr. Lybrand:

H. 701. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

Also:

By Mr. Merrill:

H. 12. To further amend Section 107 of Title 13, Code of Alabama (1940), to fix the compensation of the clerk of the court of appeals, and to appropriate funds for carrying out the provisions of this act.

Also:

By Mr. Merrill:

H. 700. To make an appropriation for payment of court costs, expenses and attorneys fees incurred in the defense of cases involving Health, Education and Welfare "Guidelines" in Education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 483, 437, 688, 13, 12 and 700. To the Committee on Finance and Taxation

H. B. 479 and 478. To the Committee on Municipalities and Municipal Organizations

H. B. 701. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Bassett:

H. 380. To provide that deer, turkey, and other wild animals may be cleaned and processed at slaughter houses, abattoirs, meat packing and processing plants in this State.

Also:

By Messrs. McDonald, Garrett, McCorquodale, Foshee, Owens (W) and Melton:

H. 564. To amend Code of Alabama Title 51, Section 21, relating to the subjects of taxation in this State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 380. To the Committee on Public Health

H. B. 564. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Edington, Downing, Collins (C), Perloff, Wood, Collins (W), Grayson, Cherner, Agee, Hain, Shumate, Meade, Beck, Smith (C), Kilgore, Smith (P), Mays, Bank, Brown, Meeks, Holman, Bowers, Yeilding and Ellis:

H. 321. To create and establish the Alabama Council on the Arts, to provide for the appointment of its members, their qualifications, terms, duties, authority, and making an appropriation therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 321. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Foshee and Jackson (F):

H. 520. To amend Title 51, Section 597, Code of Alabama 1940, Recompiled 1958, which provides for a license tax on street fairs or carnivals.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 520. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 8. To authorize and regulate savings and loan deposits in two names, and to permit any payment thereof, and any interest and dividends thereon, to either party whether the other be living or dead, and to regulate savings and loan deposits made by any person in trust for another and to permit payment thereof to the person for whom such deposit was made, whether adult or minor, upon the death of the trustee, when no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said savings and loan association.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 163. To provide for erection of certain markers on public highways to advertise tourist attractions; prescribing the duties and responsibilities of the Director of Publicity and Information and the Director of the State Highway Department in relation to the construction and erection of such markers; and providing for payment of costs.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 364. To amend Code of Alabama 1940, Title 7, Sections 727, 728, 729, 735, 737 and 739 for the purpose of regulating further the period in which real estate or any interest therein, which has been sold under the power of sale in a deed of trust or mortgage, may be redeemed.

was taken up.

Mr. Torbert offered the following amendment to the Bill, S. B. 364, to-wit:

AMENDMENT TO S. B. 364

Amend S. B. 364 as follows:

Amend Section 1 by striking the second paragraph thereof, beginning with the words "Section 727" and ending with the words "in the instrument authorizing the sale", and in lieu thereof insert the following:

"Section 727. Where real estate, or any interest therein, is sold under execution, or by virtue of any decree in the circuit court, or under any deed of trust, or power of sale in a mortgage, the same may be redeemed by the debtor, junior mortgagee, vendee of the debtor, or assignee of the equity or statutory right of redemption, wife, widow, child, heir at law, devisee, or any vendee or assignee of the right of redemption under this Code, from the purchaser, or his vendee, within two years thereafter in the manner provided in this chapter, except when the deed of trust or the mortgage under which the sale is made in express terms prescribes a period of not less than twelve months after foreclosure within which the real estate or any interest therein may be redeemed. In such a case the right of redemption is lost if not exercised within the time prescribed in the instrument authorizing the sale."

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 25; Nays 5.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Childs	Harris	Morrow	Stone	
Clark	Hawkins	Nabors	Vacca	
Cooper	Leonard			—25

Nays:

Messrs.:	Folsom	Torbert	Turner	
Dominick	Givhan			—5

And said Bill, S. B. 364, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 3.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Bailes	Giles	McCarley	Radney	
Carr	Gilmore	McDermott	Skidmore	
Childs	Harris	Morrow	Stone	
Clark	Hawkins	Nabors	Torbert	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard	Pelham	Vacca	—27

Nays: Messrs. Branyon, Folsom, Givhan —3

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 148. To amend Section 1 of Act No. 430, H. 823, Regular Session 1965, providing for a program for education in the field of library science and authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants; to facilitate the awarding of such grants.

Also:

S. 75. To propose an amendment to the Constitution of Alabama; establishing a game and fish fund in the State Treasury and requiring that certain monies be placed therein; to prohibit the diversion of any monies in said fund for any purposes other than the administration of the game and fish activities of the Department of Conservation and for the protection, propagation, preservation, investigation of game and fish and the public use of the game and fish resources of this State.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Giles offered the following Senate Joint Resolution, to-wit:

S. J. R. 74. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That House Bills 402 and 403 shall be known and designated as the Drake-Folsom Bills.

On motion of Mr. Giles, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 366. Relating to county roads, providing for regulation of digging up or use of such roads for certain purposes by public utilities.

was taken up.

The Standing Committee on Counties and County Boundaries reported the following amendment to the Bill, S. B. 366, to-wit:

AMENDMENT TO S. B. 366

Amend S. B. 366 by inserting the words "if called upon to do so by the county governing body" following the word shall and preceding the word furnish in line 2 of sentence 3 in Section 1 of said bill.

On motion of Mr. Harris, said amendment was laid on the table.

Mr. Harris offered the following substitute for the Bill, S. B. 366, to-wit:

SUBSTITUTE FOR SENATE BILL 366

A BILL
TO BE ENTITLED
AN ACT

Relating to county roads, providing for regulation of digging up of such roads for certain purposes by public utilities.

Be It Enacted by the Legislature of Alabama:

Section 1. No county road shall be dug up for laying pipelines, polelines, sewers, railways, or for other similar purposes without the permission, written or otherwise of the court of county commissioners, board of revenue, or other like county governing body, or a person authorized by such governing body to grant such permission, and such work shall be done only in accordance with the regulations prescribed by the county governing body pertaining to county roads. The person, firm, or corporation using a county road for any of the purposes enumerated herein shall replace such road so used in as good condition as it was before such work was done, and, the cost of replacing the road in as good condition as it was before such work was done shall be paid by the person, firm, or corporation to whom or in whose behalf such permit was given. Such person, firm or corporation so desiring such work shall if required so to do by the county governing body furnish the county governing body with a cash deposit or certified check upon a solvent bank, or surety bond of a guaranty company qualified to do business in Alabama, in the amount required by the county govern-

ing body conditioned that the sum is to be forfeited to the county in the event the said road is not placed in as good condition as it was prior to said work being done, within 15 days from the time said work is completed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Giles offered the following amendment to the substitute for the Bill, S. B. 366, to-wit:

AMENDMENT TO THE SUBSTITUTE FOR SENATE BILL 366

Amend Line 1 of Section 1 of Senate Bill 366 by deleting the words "No county road" and substituting in lieu thereof the words: "No improved portion ordinarily used for vehicular travel of any county road"

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

The question was then on the amendment offered by Mr. Giles, and said amendment was then adopted.

Yeas 16; Nays 12.

Yeas:

Messrs.:	Giles	Lolley	Stone	
Clark	Goodwyn	McDermott	Torbert	
Cooper	Hawkins	Morrow	Turner	
Engel	Jackson	Pelham	Vacca	
Folsom				—16

Nays:

Messrs.:	Dominick	Harris	McCarley	
Bailes	Gilmore	Leonard	Nabors	
Branyon	Givhan	Lindsey	Skidmore	
Carr				—12

And said substitute, as thus amended, for the Bill, S. B. 366, was then adopted by the Senate.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Folsom	Leonard	Pierce	
Bailes	Giles	Lindsey	Kadney	
Carr	Gilmore	Lolley	Skidmore	
Childs	Goodwyn	McCarley	Stone	
Clark	Harris	McDermott	Torbert	
Cooper	Hawkins	Morrow	Turner	
Dominick	Jackson	Nabors	Vacca	
				—27

Nay: Mr. Branyon

—1

And said Bill, S. B. 366, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nay 1.

Yeas:

Messrs.:	Givhan	Lolley	Radney	
Bailes	Goodwyn	McCarley	Skidmore	
Carr	Harris	McDermott	Stone	
Clark	Hawkins	Morrow	Torbert	
Dominick	Jackson	Nabors	Turner	
Giles	Leonard	Pelham	Vacca	
Gilmore	Lindsey	Pierce		—26

Nay: Mr. Branyon —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Slate and Doss:

H. 643. Forbidding persons, firms or corporations doing an insurance business to issue, sell or renew in this state any insurance policy containing a clause requiring arbitration under certain conditions as a prerequisite to bringing suit on such policy; and declaring such clauses in policies hereafter issued, sold or renewed void.

Also:

By Mr. Lemley:

H. 513. To make further provisions respecting the qualifications of certain officers of incorporated municipalities and to repeal conflicting laws.

Also:

By Messrs. Brown and Culver:

H. 351. To amend Section 12 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 643. To the Committee on Public Buildings and Grounds

H. B. 513. To the Committee on Municipalities and Municipal Organizations

H. B. 351. To the Committee on Public Health

BILLS ON THIRD READING RESUMED

The Bill:

S. 217. To amend Section 1 of Act No. 223 of the Special Session of 1967, approved May 10, 1967, which amends Section 692, among other

sections of the motor vehicle license laws, Title 51, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Branyon	Giles	Lindsey	Skidmore
Carr	Gilmore	Lolley	Stone
Childs	Givhan	McCarley	Torbert
Clark	Goodwyn	McDermott	Turner
Cooper	Harris	Nabors	Vacca

—27

Nays:

—0

The Bill:

S. 318. To authorize and direct the Board of Nursing created under Act No. 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615) to conduct a survey and study of nursing and nursing education and needs, establishing procedures for such survey and study and making appropriations therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Pelham
Bailes	Giles	Leonard	Pierce
Branyon	Gilmore	Lindsey	Skidmore
Carr	Givhan	Lolley	Stone
Clark	Goodwyn	McCarley	Turner
Cooper	Harris	McDermott	Vacca
Engel	Hawkins	Nabors	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owen (Baldwin):

H. 355. To amend Sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 13, 16 and 19 of Act No. 107 enacted at the First Special Session of 1965 of the Legislature of Alabama, as heretofore amended, so as to make more adequate and specific provision for the acquisition, construction, improvement, operation and financing, by public corporations heretofore and hereafter organized under said act, of sanitary sewer systems, so as to make more specific provision for the amendment of certificates of incorporation of such public corporations, and so as to authorize the employment, by such public corporations, of officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session) that might otherwise be applicable.

Also:

By Mr. Owen (Baldwin):

H. 353. To amend Act No. 640 adopted at the 1949 Regular Session of the Legislature of Alabama, which relates to the designation of a public corporation as the agency of a county for public hospital purposes, the use of the proceeds from county ad valorem taxes voted for public hospital purposes under any constitutional amendment, and the securities of such a public corporation and related matters, so as to provide that a county may designate such a public corporation as its agency for public hospital purposes in a portion only of the county and so as to provide that any pledge by such a public corporation for the benefit of its securities may be made of all or such portion of the proceeds of the said tax as may be lawfully pledged without violating any provision of the constitution.

Also:

By Mr. Owen (Baldwin):

H. 354. To amend Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama, which provides for the incorporation in any county in this state of a public corporation for hospital purposes and specifies the powers of, and makes other provisions regarding such public corporations, so as to provide that more than one such corporation may be organized in the same county and so as to provide that the certificate of incorporation of any such corporation may limit the area in which the said corporation is to exercise its corporate functions to a portion only of the county in which it is organized.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 355, 353 and 354. To the Committee on Public Buildings and Grounds

MOTION TO RECONSIDER

On motion of Mr. Clark, the Senate reconsidered the vote by which the Bill, S. B. 217, was passed by the Senate.

On motion of Mr. Giles, further consideration of the Bill, S. B. 217, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 267. To amend Section 1 of Act No. 223 of the Special Session of 1967, approved May 10, 1967, which amends Section 692, among other sections of the motor vehicle license laws, Title 51, Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Bailes	Engel	Leonard	Pelham
Branyon	Folsom	Lindsey	Pierce
Carr	Giles	Lolley	Skidmore
Childs	Gilmore	McCarley	Stone
Clark	Givhan	McDermott	Turner
Cooper	Goodwyn	Morrow	Vacca

—27

Nays:

—0

The Bill:

S. 40. To further amend Section 107 of Title 13, Code of Alabama (1940), to fix the compensation of the clerk of the court of appeals, and to appropriate funds for carrying out the provisions of this act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lindsey	Pierce
Bailes	Gilmore	Lolley	Radney
Carr	Givhan	McDermott	Skidmore
Childs	Goodwyn	Morrow	Stone
Clark	Harris	Nabors	Turner
Cooper	Hawkins	Pelham	Vacca
Folsom	Leonard		

—25

Nays:

—0

The Bill:

S. 41. To make an additional appropriation for the expenses of the Court of Appeals.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Pierce
Bailes	Givhan	McCarley	Skidmore
Carr	Goodwyn	McDermott	Stone
Clark	Harris	Morrow	Turner
Cooper	Hawkins	Nabors	Vacca
Giles	Leonard	Pelham	

—22

Nays:

—0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled

Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 2. Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

Also:

S. 48. To amend Title 51, Section 569, Code of Alabama, in relation to the license payable by photographers and photograph galleries.

Also:

S. 174. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development and contracts for the furnishing of fiscal or financial advice or services.

Also:

S. 232. To make an additional appropriation to the State Board of Education for the purpose of purchasing Free Textbooks.

Also:

S. 256. To amend Act No. 603, H. B. 69, Regular Session 1957, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies (Acts 1957, v. 2, p. 862), so as to regulate further the fees imposed for examination of credit unions.

Also:

S. 257. Relating to payment by credit unions of share and deposit accounts not exceeding one thousand dollars (\$1,000) on the death of persons having such accounts; and discharging credit unions from further liability in respect to such accounts by payment of same to designated persons.

Also:

S. 290. To amend Code of Alabama 1940, Title 55, Section 110, which requires that public printing and binding shall be done under contracts.

Also:

S. 325. To amend Section 8 of Act No. 861, S. 14, Regular Session of the Legislature of 1951 (Acts of 1951, Vol. 2, p. 1496), approved September 12, 1951, which relates to the registration of cattle brands and the duty of livestock markets, dealers and slaughterers relative to keeping records of cattle brands.

Also:

S. 348. To amend Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to provide for the continued existence of any corporation organized under the said act until dissolved in the manner provided therein.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 404. To create a special fund in the state treasury for deposit of certain gifts or cash donations made to the state department of archives and history and to designate it the "Memorial Fund—Department of Archives and History"; to authorize and regulate the use and expenditure of such fund; and to designate gifts payable to such fund as gifts to the State of Alabama for income tax purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Nabors
Bailes	Dominick	Hawkins	Pelham
Branyon	Folsom	Leonard	Pierce
Carr	Giles	Lolley	Skidmore
Childs	Givhan	McCarley	Stone
Clark	Goodwyn	McDermott	Vacca

—23

Nays:

—0

The Bill:

S. 460. To amend Section 10 of Act No. 493 adopted at the 1955 Regular Session of the Legislature of Alabama as the same has been previously amended, relating to municipal public building authorities, so as to provide that bonds of such municipal public building authorities may be payable in such installments and at such time or times not exceeding forty years from their date as may be provided in the proceedings wherein the bonds shall be authorized to be issued.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Nabors
Bailes	Engel	Lindsey	Pelham
Branyon	Folsom	Lolley	Pierce
Carr	Givhan	McCarley	Skidmore
Childs	Harris	McDermott	Stone
Clark	Hawkins	Morrow	Vacca
Cooper			

—24

Nays:

—0

ADJOURNMENT

At 5:05 P. M., on motion of Mr. Cooper, the Senate adjourned until Tuesday, August 8, 1967, at 10 o'clock A. M.

TWENTY-EIGHTH LEGISLATIVE DAY

TUESDAY, AUGUST 8, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert H. Jackson, Pastor, Buck Run Baptist Church, Frankfort, Kentucky.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Leonard	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins	Oden	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Lindsey for today.

RECESS

At 10:20 A. M., on motion of Mr. Pierce, the Senate took a recess until 2 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 8. To authorize and regulate savings and loan deposits in two names, and to permit any payment thereof, and any interest and dividends thereon, to either party whether the other be living or dead, and to regulate savings and loan deposits made by any person in trust for another and to permit payment thereof to the person for whom such deposit was made, whether adult or minor, upon the death of the trustee, when no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said savings and loan association.

Also:

S. 163. To provide for erection of certain markers on public highways to advertise tourist attractions; prescribing the duties and responsibilities of the Director of Publicity and Information and the Director of the State Highway Department in relation to the construction and erection of such markers; and providing for payment of costs.

Also:

S. 75. To propose an amendment to the Constitution of Alabama; establishing a game and fish fund in the State Treasury and requiring that certain monies be placed therein; to prohibit the diversion of any monies in said fund for any purposes other than the administration of the game and fish activities of the Department of Conservation and for the protection, propagation, preservation, investigation of game and fish and the public use of the game and fish resources of this State.

Also:

S. 148. To amend Section 1 of Act No. 430, H. 823, Regular Session 1965, providing for a program for education in the field of library science and authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants; to facilitate the awarding of such grants.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 62. Relative to adjournment.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 337. To provide for payment of expense allowances to members of the board of revenue, court of county commissioners or other like governing body of Franklin County.

Also:

H. 466. To amend further an act entitled "An Act to divide the County of Cleburne into commissioners districts and to regulate the election of county commissioners" approved March 4, 1901, so as to provide for nomination and election of commissioners by districts.

Also:

H. 467. Relating to Cleburne County; providing for the election, qualifications, terms and compensation of the members of the county board of education.

Also:

H. 88. To further provide for auditing of the books and records of publicly owned hospitals, nursing homes, rest homes, and any other publicly owned medical institutions by independent certified public accountants.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON
ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 98. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor

vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

LELAND CHILDS,
Chairman.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Skidmore, Jackson, McCarley, Leonard, Goodwyn, Folsom and Giles:

S. 542. Relating to crimes and offenses; making physical interference with a fireman engaged in the performance of his duties a felony; prescribing penalties.

Committee on Judiciary.

By Mr. Leonard:

S. 543. To provide an expense allowance payable from the county treasury to the county court judges in counties which have a county court composed of two divisions and which have a population of not less than 65,000 nor more than 95,000.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 544. To apply only in counties having populations of not less than 65,000 nor more than 95,000; providing clerks for the boards of registrars of all such counties whose compensation shall be payable from the county treasury.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 545. To apply only in counties having populations of not less than 65,000 nor more than 95,000; providing clerks for the boards of equalization of all such counties whose compensation shall be payable from the county treasury.

Committee on Local Legislation No. 1.

By Mr. Leonard:

S. 546. To extend, alter and rearrange the boundary lines and corporate limits of the town of Lincoln, Talladega County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

As soon as publication hereof has been completed as required by the constitution and laws of the State of Alabama, the following local Act will be introduced for passage in the Legislature of Alabama:

"An Act to extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama:

Be It Enacted by the Legislature of Alabama:

SECTION 1: That the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama, be, and the same are hereby, extended, altered and rearranged so as to include within the corporate limits of said Town all of the following described territory:

The South Three-Fourths of the South Half of South Half of Section 21; all of Section 28; all of Section 33, all in Township 16, South, Range 5 East; and the North Half of Section 4. Township 17 South, Range 5 East.

SECTION 2: All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3: This Act shall be effective upon its publication and approval by the Legislature or upon its otherwise becoming a law."

STATE OF ALABAMA
COUNTY OF TALLADEGA

Personally appeared before me, a Notary Public in and for said County, Bernard Hollingsworth, who being duly sworn according to law, deposes and says that he is the Clerk of the Daily Home a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 14, 1967, July 21, 1967, July 28, 1967, August 4, 1967,

BERNARD HOLLINGSWORTH.

Subscribed and sworn to before me this 4 day of August 1967.

FAYE F. BISHOP.

By Mr. Radney:

S. 547. To provide that in all counties having a population of not less than 26,000 nor more than 27,000 population according to the last federal decennial census, all lists of qualified voters provided to be furnished to election officials and others shall be furnished by the board of registrars of such counties in the same manner and under the same provisions as they have heretofore been furnished by the judge of probate except that all funds connected therewith shall be paid into the county treasury to be used exclusively for the operation of the board of registrars and provided that lists may be furnished for city elections upon request of the official charged with furnishing such lists.

Committee on Local Legislation No. 1.

By Mr. Stone:

S. 548. To amend Code of Alabama 1940, Title 12, Section 224, in relation to the authority of counties to acquire lands for parks and museums and for other purposes.

Committee on Forestry and Conservation.

By Mr. Radney:

S. 549. To repeal Act No. 40, S. 12, First Special Session 1956 (Acts 1956, p. 68), entitled "An Act Relating to Macon County: To authorize and empower the county board of education of Macon County to remove or terminate the contract of employment of any teacher in

the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws."

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To repeal Act. No. 40, S. 12, First Special Session 1956 (Acts 1956, p. 68), entitled "An Act Relating to Macon County: To authorize and empower the county board of education of Macon County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 40, S. 12, First Special Session 1956 (Acts 1956, p. 68), entitled "An Act Relating to Macon County: To authorize and empower the county board of education of Macon County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws," is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1967.

NEIL O. DAVIS.

Sworn to and subscribed before me Aug 8, 1967.

ALMA N. SHAFFER,
Notary Public.

By Messrs. Pierce and Goodwyn:

S. 550. Relating to Montgomery County; making further provisions regarding the use of that portion of the Proceeds from the State Gasoline Excise Tax that may be paid to Montgomery County pursuant to the provisions of Section 5(b) of Act No. 224 adopted at the special

session of the Legislature of Alabama that convened on March 2, 1967; and providing for part of the said proceeds to be distributed, following their receipt by the county, to the City of Montgomery and any other municipal corporation or municipal corporations hereafter existing in the said county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MONTGOMERY**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Montgomery County; making further provisions regarding the use of that portion of the Proceeds from the State Gasoline Excise Tax that may be paid to Montgomery County pursuant to the provisions of Section 5 (b) of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967; and providing for part of the said proceeds to be distributed, following their receipt by the county, to the City of Montgomery and any other municipal corporation or municipal corporations hereafter existing in the said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Application of Act. This act shall apply only to Montgomery County.

Section 2. Definitions. The following words and phrases, wherever used in this act, shall have the respective meanings hereinafter ascribed to them.

"The county" means Montgomery County in the State of Alabama.

"Highway gasoline tax" means (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel.

"Highway gasoline tax distribution act" means Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967.

"Clerk" means the clerk of the Montgomery County Board of Revenue or other officer that may at any time be charged by law with the duty of receiving and disbursing funds of the county.

"Municipalities in the county" means the City of Montgomery and each municipal corporation that may hereafter be incorporated in the county.

Section 3. Distribution Among the Municipalities in the County of a Portion of the Highway Gasoline Tax Paid to the County Pursuant to

Section 5(b) of the Highway Gasoline Tax Distribution Act. Within three days after receipt by the clerk of each remittance to the county pursuant to the provisions of clause (b) in the first paragraph of Section 5 of the highway gasoline tax distribution act, the clerk shall pay over to and distribute among the municipalities in the county forty-four and fourty-four one hundredths per centum (44.44%) of the amount so received by the clerk. The amount so paid over to and distributed among the municipalities in the county shall be apportioned among the said municipalities by the clerk on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the county according to the then next preceding federal decennial census.

Section 4. Distribution to Municipalities Incorporated after September 30, 1967 in The County. Any municipality that may be incorporated in the county after September 30, 1967, shall not participate in the distribution provided for in this act until the fiscal year next succeeding the fiscal year during which it is incorporated. The population of any municipality incorporated in the county subsequent to the taking of the then next preceding federal decennial census shall be deemed, until the effective date of the then next succeeding federal decennial census, to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940.

Section 5. Effective Date of Census. For the purposes of this act, each federal decennial census shall be deemed to be effective on the first day of October next following the publication of the results of such decennial census.

Section 6. Use of Tax Proceeds Distributed to Municipalities Under This Act. All tax procees that may be paid to any municipality pursuant to the provisions of this act shall be used by such municipality only for the construction, reconstruction, maintenance, widening, alteration and improvement of roads, bridges, streets, and other public ways, including payment of the principal of and interest on any securities at any time issued by that municipality pursuant to general law, for the payment of which any part of the said proceeds were or may be lawfully pledged; provided, that no part of the said tax proceeds shall be expended contrary to the provisions of the Constitution of Alabama.

Section 7. Effective Date of Act. This act shall become effective October 1, 1967.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Guyton Parks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Advertiser Company (Pub. Alabama Journal), a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, 20, 27 and August 3, 1967.

GUYTON PARKS.

Sworn to and subscribed before me August 3, 1967.

RUTH E. MOORE,
Notary Public.

By Mr. Turner:

S. 551. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

Committee on Public Buildings and Grounds.

By Mr. Giles:

S. 552. To make an appropriation from the state treasury for the construction, equipment and furnishing of a substation for the Department of Public Safety.

Committee on Finance and Taxation.

By Mr. Giles:

S. 553. To apply only in counties having populations of not less than 170,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Committee on Local Legislation No. 1.

By Mr. Giles:

S. 554. To further regulate the liquor traffic in the municipality of Madison in Madison County, making further provisions for issuance of liquor licenses, and repealing conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further regulate the liquor traffic in the municipality of Madison in Madison County, making further provisions for issuance of liquor licenses, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama alcoholic beverage control board, with the approval of the town council or commission of the municipality of Madison in Madison County, may issue a liquor license to any hotel establishment located within the corporate limits of such municipality, as provided in Code of Alabama Title 29, Chapter 1, provided such hotel is situated within 500 feet of the right of way of Alabama Highway 20 and has no less than 50 rooms for guests under one roof; and when so licensed, the sale, possession, and consumption of alcoholic beverages at such a hotel shall be lawful, the provisions of any other law to the contrary notwithstanding.

Section 2. The provisions of Act No. 402, H. 972, Regular Session 1963, as amended, or of any other law, general, special, or local, in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Wright, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 28, Aug 2, and Aug 7, all in the year 1967.

JOHN WRIGHT.

Sworn to and subscribed before me 7th Aug, 1967.

RUTH C. HIGDON,
Notary Public.

My Commission Expires 1/7/68

By Mr. O'Bannon:

S. 555. Relating to the City of Florence, Alabama; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such city.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to the City of Florence, Alabama; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such city.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in the City of Florence, Alabama, the free circulation of traffic of all kinds through the streets of said municipality is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in streets of said municipality; that the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from such municipality, impedes the rapid and effective fighting of fires and disposition of police

force, threatens irreparable loss in the values of urban property within said city which can no longer be readily reached by vehicular traffic and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this Act is hereby declared to be a public necessity. This Act shall apply only to such city.

Section 2. The council or other governing body of the City of Florence, Alabama, is hereby authorized and empowered to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and to develop any undeveloped property owned, leased or controlled by such city for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this Act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve, maintain, equip, operate, regulate and protect parking facilities; to lease or let such facilities or any one or more of them or any part thereof for any use or uses to such tenant or tenants for such term, or terms, at such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this Act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city; to cooperate with the State; any county, city, town, public corporation, agency, department, or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purposes of this Act; to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, from the state, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. The council or other governing body of the City of Florence, Alabama is hereby specifically authorized to lease any said parking facilities constructed under the provisions of this Act; provided, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased, provided that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principal of and interest on the bonds issued to finance the parking facility, (b) to build up and maintain any reserve deemed by the council or other governing body to be advisable in con-

nection therewith, (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance) of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement may, at the discretion of the council or other governing body, contain provisions prescribing minimum operating hours, maximum charges to be collected by the operator, and other terms to be observed by the lessee.

Section 4. The principal of and interest on any bonds issued under this Act shall be secured by a pledge of the revenues out of which such bonds may be made payable and may be secured by a mortgage covering all or any part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings or mortgage, the terms to be included in the lease of such project, the maintenance and issuance of such project, the creation and maintenance of special funds from the revenues from such project, and the rights and remedies available in event of default of the bond holders or to the trustee under a mortgage, all as the governing body shall deem advisable and as shall not be in conflict with the provisions of this Act; provided, however, that in making any such agreements or provisions, the municipality shall not have the power to obligate itself except with respect to the project and the application of the revenues therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may provide that, in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such proceedings or the provisions of such mortgage. Any such mortgage may provide also that, in the event of default in such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder thereof. No breach of any such agreement shall impose any pecuniary liability upon the municipality or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by such city by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premium and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby, provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or if they are called for redemption, prior to the date on which they are by their terms subject to redemption. Any refunding bonds issued under the authority

of this Act shall be payable solely from the revenues out of which the bonds to be refunded thereby were payable, and shall be subject to the provisions contained in Section 4 of this Act, and may be secured in accordance with the provisions of Section 3 of this Act.

Section 6. The proceeds from the sale of any bonds issued under authority of this act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or the interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction of any part of a project which may be constructed, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of constructions.

Section 7. The city subject to the provisions of this Act may pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project; provided, however, that where revenue bonds are issued, or to be issued, such city shall make no contribution of money or property which would cause such bonds to be debts within the meanings of Section 225 of the Constitution of the State of Alabama or bonds within the meaning of Section 222 of the Constitution of the State of Alabama.

Section 8. Bonds issued under the provisions of this Act shall be legal investments for banks and insurance companies and savings banks organized under the laws of this state, executors, administrators, trustees and other fiduciaries.

Section 9. The bonds authorized by this Act and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant to the provisions hereof, and all projects and the revenues derived from any lease thereof shall be exempt from all taxation in the State of Alabama.

Section 10. Neither this Act nor anything herein contained shall be construed as a restriction or limitation upon any powers which the municipality might otherwise have under any laws of this state, but shall be construed as cumulative; and this Act shall not be construed as requiring an election by the voters of the municipality prior to the issuance of bonds hereunder by such municipality unless required by the Constitution of the State of Alabama.

Section 11. If any section, provision, or clause of this Act shall be declared invalid, or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1967.

RICHARD N. HAMMELL.

Sworn to and subscribed before me August 7, 1967.

BILLY M. GARNER,
Notary Public, State at Large.

My Commission Expires June 26, 1971.

By Mr. O'Bannon:

S. 556. To further regulate the salary of the State Budget Officer.
Committee on Finance and Taxation.

By Messrs. Folsom, Branyon, Giles, Carr, Skidmore, Leonard, Albea, Nabors, Pelham, Lolley, Cooper, Clark, Stone, Givhan, Bailes, Vacca, Childs, McDermott and Engel:

S. 557. To provide wage and salary increases for certain public school employees, and to make an appropriation from the Alabama special educational trust fund for such purpose.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDermott, Engel and Pelham:

S. 534. To amend Act No. 374, S. 213, approved August 10, 1965, an act creating the office of judge of the juvenile court in all counties having populations of not less than 225,000 nor more than 500,000, so as to impose extra, new and additional duties upon the judge of such court and to provide said judge with an allowance for the performance of such duties.

By Mr. Harris (with notice and proof):

S. 537. To alter, rearrange and extend the boundaries of the City of Decatur, in Morgan County:

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

S. 138. To provide that no person shall be in possession of more than one driver license.

By Mr. Oden:

S. 449. To create an advisory board of trustees for Northwest Alabama Junior College; to prescribe its authority, duties and functions and to provide for the appointment, qualifications and terms of its members.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Pierce:

S. 87. To amend Code of Alabama, Title 13, Section 81, relating to the library fund of the Supreme Court of Alabama.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Pierce (with substitute):

S. 222. To amend Section 366 and Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 399. Relating to supernumerary circuit solicitors; to amend Section 1 of an act approved September 3, 1953 (Act No. 474, S. 219, Acts 1953, Vol. 1, p. 589) which provides for the appointment of supernumerary circuit solicitors of the State of Alabama, in relation to the number of years of service prerequisite to a disabled district attorney, circuit solicitor, or like prosecuting officer by whatever name designated becoming a supernumerary circuit solicitor.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 465. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 466. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 467. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 468. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 469. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

By Messrs. Torbert, Hawkins, Vacca and Carr:

S. 470. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

By Mr. Skidmore:

S. 478. To amend Section 3, Act No. 817, H. 298, Regular Session 1961, relating to supernumerary court reporters.

By Mr. Clark:

S. 492. To further amend Section 1 of Act No. 511, H. 610, Regular Session 1963, an Act fixing the compensation of District Attorneys payable from the State treasury, as last amended by Act No. 264, S. 96, Special Session 1966.

By Mr. Turner:

S. 522. To make an appropriation to the State Military Department.

By Messrs. McDermott and Engel:

S. 524. To further amend Section 1 of Act 467, Acts of Alabama, 1963, Volume 2, page 1019, an Act providing for Supernumerary Circuit Solicitors of the State.

By Mr. Turner:

S. 541. To amend further Code of Alabama 1940, Title 28, Section 321, which relates to the state insurance fund; providing for purchase of reinsurance by the director of finance and collection of agents' commissions thereon.

By Mr. Merrill:

H. 12. To further amend Section 107 of Title 13, Code of Alabama (1940), to fix the compensation of the clerk of the court of appeals, and to appropriate funds for carrying out the provisions of this act.

By Mr. Merrill:

H. 13. To make an additional appropriation for the expenses of the Court of Appeals.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pennington (with amendment):

H. 263. To provide that agents or employees of the department of revenue designated in writing by the commissioner of revenue shall be peace officers of the State of Alabama with police power to enforce the provisions of the revenue laws of this State; to provide for an arrest fee of five dollars (\$5.00) and the disposition thereof.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Agee and McCorquodale:

H. 318. To provide exemptions from taxation for certain plants and industries.

By Mr. Sessions et al:

H. 471. To provide for establishment and operation of an Alabama Sports Hall of Fame Board, and to prescribe its powers and duties.

By Messrs. Springer and Pennington:

H. 483. To authorize and direct the Board of Nursing created under Act No. 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615) to conduct a survey and study of nursing and nursing education and needs, establishing procedures for such survey and study and making appropriations therefor.

By Mr. Owen (Baldwin) et al:

H. 507. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

By Messrs. Foshee and Jackson (F):

H. 520. To amend Title 51, Section 597, Code of Alabama 1940, Recompiled 1958, which provides for a license tax on street fairs or carnivals.

By Mr. McCorquodale et al:

H. 560. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

By Mr. McDonald et al:

H. 564. To amend Code of Alabama Title 51, Section 21, relating to the subjects of taxation in this State.

By Messrs. Bank, Brown and Culver:

H. 688. To provide for the operation and maintenance of the district tuberculosis sanatorium at Tuscaloosa and known and designated as Hale Memorial Hospital as an unincorporated state institution under the supervision and control of a board of trustees; to dissolve the corporation created pursuant to Act No. 914, H. 1226, of the Regular Session of 1961, to maintain and operate such hospital; to create a board of trustees for such hospital; to provide for the appointment, term and compensation of trustees; to prescribe the powers, duties and authority of such board of trustees; to transfer to such board of trustees all the powers, duty and authority heretofore had and exercised by the Hale Memorial Hospital corporation, except such as can only be had by a corporation; and to provide for the assumption by the board of trustees hereby established of the debts and liabilities of the dissolved corporation.

By Mr. Merrill:

H. 700. To make an appropriation for payment of court costs, expenses and attorneys fees incurred in the defense of cases involving Health, Education and Welfare "Guidelines" in Education.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Slate and Doss:

H. 643. Forbidding persons, firms or corporations doing an insurance business to issue, sell or renew in this state any insurance policy containing a clause requiring arbitration under certain conditions as a prerequisite to bringing suit on such policy; and declaring such clauses in policies hereafter issued, sold or renewed void.

By Mr. Owen (Baldwin):

H. 355. To amend Sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 13, 16 and 19 of Act No. 107 enacted at the First Special Session of 1965 of the Legislature of Alabama, as heretofore amended, so as to make more adequate and specific provision for the acquisition, construction, improvement, operation and financing, by public corporations heretofore and hereafter organized under said act, of sanitary sewer systems, so as to make more specific provision for the amendment of certificates of incorporation of such public corporations, and so as to authorize the employment, by such public corporations, of officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session) that might otherwise be applicable.

By Mr. Owen (Baldwin):

H. 354. To amend Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama, which provides for the incorporation in any county in this state of a public corporation for hospital purposes and specifies the powers of, and makes other provisions regarding such public corporations, so as to provide that more than one such corporation may be organized in the same county and so as to provide that the certificate of incorporation of any such corporation may limit the area in which the said corporation is to exercise its corporate functions to a portion only of the county in which it is organized.

By Mr. Owen (Baldwin):

H. 353. To amend Act No. 640 adopted at the 1949 Regular Session of the Legislature of Alabama, which relates to the designation of a public corporation as the agency of a county for public hospital purposes, the use of the proceeds from county ad valorem taxes voted for public hospital purposes under any constitutional amendment, and the securities of such a public corporation and related matters, so as to provide that a county may designate such a public corporation as its agency for public hospital purposes in a portion only of the county and so as to provide that any pledge by such a public corporation for the benefit of its securities may be made of all or such portion of the proceeds of the said tax as may be lawfully pledged without violating any provision of the constitution.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bank et al:

H. 350. To authorize the State Board of Health to charge a fee to persons receiving home health services and to waive said fee for the medically indigent; to require said fees to be paid into the State treasury in a special fund and to appropriate all of said fund to the Board of Health for use in the county from which said fee was collected and for operating a home health service.

By Mr. Pruitt:

H. 458. To require all persons in charge of laboratories that perform tests for syphilis to make a report of reactive or positive tests to the State Board of Health; to authorize the Board of Health to make pertinent rules and regulations; to declare such reports confidential, and to provide punishment for violating this act or rules and regulations; to repeal conflicting laws; and to provide for the effective date hereof.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adwell et al:

H. 629. To further amend Sections 5, 12, 16, 18 and 25 of an Act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 inhabitants or more according to the last or any future federal census, a county-wide civil service system.

Mr. Oden, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lolley:

S. 536. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McDonald, Starnes and Drake:

H. J. R. 70. WHEREAS, Elton Leon Kennamer, Jr., of Guntersville, Alabama, has been named a master of photography by the Professional Photographers of America, Inc., an eighty-seven year old organization numbering more than ten thousand members and the largest organization of its kind; and

WHEREAS, Mr. Kennamer is justly deserving of this high honor having accumulated more than twenty-five merit points obtained by having his work selected for exhibition, by serving in the Professional Photographers of America offices, by serving on the faculty of the Winona School of Professional Photography, and otherwise serving the profession; and

WHEREAS, the master of photography degree is one of the highest honors that can be accorded a professional photographer. It represents the topmost level of professional attainment, and entitles the holder to add Master Photographer after his name; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Kennamer on his obtaining the degree of master of photography and wish him continued success and honor in his work.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to Mr. E. Leon Kennamer, Jr.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carr, the Rules were suspended and the Resolution, H. J. R. 70, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Speaker, Adwell, Agee, Beck, Blanton, Bowers, Brannan, Brassell, Cameron, Cherner, Collier, Cook (Jefferson), Crane, Dill, Dobbs, Doss, Downing, Ellis, Fine, Foshee, Gloor, Grayson, Hain, Harris, Higginbotham, Hill, Hogan, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Manley, Marr, Mays, McCorquodale, McDonald, McLain, Meeks, Merrill, Money, Owen (Baldwin), Paulk, Pearson, Sessions, Shumate, Smith (C), Smith (P), Snell, Springer, Starnes, Stubbs, Tuck, Waggoner, Watkins, Williams, Wright and Yeilding:

H. J. R. 71. Whereas Miss Cathy Jane Johnson, who served as a page with this legislature during the early part of this summer and during the two previous summers, has been elected president of Girls Nation and will be inaugurated tonight on the campus of American University; and

Whereas Miss Johnson, who plans to major in political science, is the first Alabamian ever to win a party nomination in this organization which is sponsored by the American Legion Auxiliary, and is the first Southern president of Girls Nation; and

Whereas Miss Johnson, who is the daughter of Mr. and Mrs. Edward C. Johnson of Birmingham, was not only an all A student at Shades Valley High School, but also made all A's in her honor courses. She was elected governor of Alabama's Girls State and was subsequently named by the sponsors as one of the two girls to go to Girls Nation in Washington; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most warmly commend Cathy Johnson upon being elected president of Girls Nation and we congratulate that fine organization upon its wise choice in making its selection. We take particular pride in the election of this young lady who has worked closely and efficiently with this body, and we are indeed gratified that she has brought further favorable recognition to the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, H. J. R. 71, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

SENATE JOINT RESOLUTION 75

WHEREAS, many urban centers of this Nation have been subjected to the ravages of riot, arson, pillage, looting, sniping, and armed insurrection resulting in the loss of hundreds of lives and property damage measured in billions of dollars; and,

WHEREAS, the precise tactics and chaotic consequences of armed insurrection and guerilla warfare have been long advocated and accurately predicted by Communists and liberal sympathizers in this Nation, including a distressing number of officials in federal government; and,

WHEREAS, the leadership of both National political parties have long and continuously competed between themselves for minority bloc, votes by promises, programs, policies and offers of untold rewards in response to demands backed by riotous conduct; and,

WHEREAS, minority blocs in urban centers have thus been encouraged to believe by federal government officials and others that demonstrations, sit-downs, lie-downs, kneel-ins, and other anti-social behavior would gain rewards from Congress if large enough, loud enough, disruptive enough, and if persisted in long enough, and since, on many occasions, demonstrations of this nature have been led, encouraged, condoned, and praised by politicians of both National parties, and violence flowing therefrom blamed upon local police and public officials, and even society itself; and,

WHEREAS, minority blocs have, in fact, been rewarded for disruptive and illegal conduct and obtained judicial protection and have witnessed law enforcement personnel handcuffed, threatened and intimidated and were thus led to believe that arrest for misconduct was improbable and conviction and punishment for rioting impossible; and, that the rights of law abiding citizens to peace and tranquility and the protection of life and property were, in fact, inferior to claims and raucous clamor of a mob; and,

WHEREAS, immoral and deadly competition for political power between leadership of both National political parties contributed directly to insurrection in our urban areas.

NOW, THEREFORE, BE IT RESOLVED by the Alabama Legislature: We commend Congressman Thomas G. Abernethy for his courageous and forthright analysis of the current tragic situation in our urban areas, and deplore the consequences suffered by innocent whites and negroes, and concur in the judgment of Congressman Abernethy in fixing the responsibility for this situation on irresponsible elements of the leadership of both National political parties.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Congressman Abernethy and to each member of the Congressional delegation from the State of Alabama.

On motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

RECESS

At 2:20 P. M., on motion of Mr. Cooper, the Senate took a recess until 3 o'clock P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Starnes, Hobbie, Owens (W.E.), Beck, Gloor, Money, Doss, Ellis, Williams, Shumate, McLain, Lemley, Fine, Springer, Melton, Garrett, McDonald, Laxson, Dill, Snodgrass, Waggoner, Harris, Drake, Watkins, Holman, Jackson (T) and Weeks:

H. 578. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to clarify the provisions thereof exempting utility services therefrom and so as to exempt from the provisions of said act contracts relating to industrial development, contracts for the furnishing of fiscal or financial advice or services, contracts for the construction and equipment of buildings for public building authorities under the provisions of Act No. 493 of the 1955 Regular Session of the Legislature of Alabama (as amended) and certain purchases made for use in the operation of certain water works systems, sanitary sewer systems, electric systems and gas systems that are owned by counties, municipalities or by public corporations, boards or authorities that are agencies, departments or instrumentalities of counties or municipalities.

Also:

By Mr. Pennington:

H. 436. To make an appropriation to the Department of Public Safety from the General Fund.

Also:

By Messrs. McElhaney and Jones:

H. 502. To amend further Sections 9, 10, 13, 16, and 20 and to repeal Section 19 of Chapter 2 of Title 46, Code of Alabama 1940, which relate to the registration of architects.

Also:

By Messrs. Owen (Baldwin), Jackson (T), Brannan, Mays, McElhaney, Foshee, Owens (W), Dill, Hardin, Stubbs, Agee, Turnham, Crawford, Young, Lemley, Smith (C), Fine, Headley, Smith (P), Berryman (R), Garrett, Crane, Collier, Snell, Stembridge, Higginbotham, Melton, Collins (C), Burgess, Bank, Culver, Shumate, Brown, Downing, Grayson, Ellis, Collins (W), Beck, Pennington, Graham, Owens (W. E.), Pearson, Kilgore, Waggoner, Wright, Hobbie, Cameron, McDonald, Starnes, McLain, Snodgrass, Jackson (F), Tuck, Cook (Coffee), McCorquodale, Berryman (W), Williams, Lybrand, Gloor, Neville, Laxson and Dobbs:

H. 508. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation

bonds in a principal amount not exceeding \$43,000,000 for the purpose of acquiring, providing, constructing, developing and equipping state parks and park facilities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 578. To the Committee on Public Buildings and Grounds

H. B. 436. To the Committee on Finance and Taxation

H. B. 502. To the Committee on Judiciary

H. B. 508. To the Committee on Forestry and Conservation

(The above numbered Bill, H. B. 508, was read at length as required by the Constitution.)

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

The appointment of Honorable Ralph Adams, Troy, Alabama, as a member of the State Personnel Board for the term expiring March 2, 1973.

On motion of Mr. Clark, the appointment of Mr. Adams as a member of the State Personnel Board was confirmed by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 35. Establishing an interim committee to make a survey and study of the oil and gas laws of Alabama.

On motion of Mr. Pelham, said Resolution was then adopted by the Senate.

RESOLUTIONS

Mr. Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 76. WHEREAS Alabama's judicial system was last revised in 1915, and though the 1915 revision greatly improved the system, it was far from ideal, even in 1915;

WHEREAS the uniformity envisaged by the 1915 court reform has been eroded by the creation and abolition by local laws of statutory courts to such an extent that today our court system is truly a hodgepodge;

WHEREAS many social and economic changes have occurred in Alabama since 1915, and a judicial system designed to meet 1915 needs is no longer adequate;

WHEREAS in December 1966, at the invitation of the Alabama State Bar, 175 lay citizens, representative of all walks of life in Alabama,

held a conference in Montgomery and devoted several days to gathering information about Alabama's judicial system and trying to devise ways and means of improving it; as a result, they found the present Alabama court system inadequate in several aspects and recommended that the system be promptly and effectively improved;

WHEREAS the board of commissioners of the Alabama State Bar have signified their wholehearted support of the object, purposes and activities of this Citizens' Conference and have incorporated their recommendations into a bill which has been introduced at this session, and concerning which there is a great diversity of opinion; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be created a special legislative interim committee, to be known as the Judicial Reform Committee. The committee shall be composed of three members of the Senate appointed by the Lieutenant Governor, and three members of the House of Representatives, appointed by the Speaker of the House. The Lieutenant Governor and the Speaker of the House shall be ex officio members thereof. The members of the committee shall elect a chairman and a vice-chairman from among their own number and shall establish the procedures for the conduct of the committee's work. The committee members shall be entitled to their usual legislative per diem and expenses for attending meetings of the committee while the Legislature is not in session which shall be paid from funds appropriated for the payment of the expenses of the Legislature.

BE IT FURTHER RESOLVED, That the Judicial Reform Committee shall study all phases of this state's judicial system with a view toward finding just wherein it needs to be reformed and updated, and shall make recommendations for the most practicable and feasible method of providing a modern judicial system for Alabama. The committee shall review and consider thoroughly the legislation offered at the current session of the Legislature, which was designed to incorporate into Alabama's Constitution the recommendations of the aforesaid Citizens' Conference. It shall also consider such other matters as in its opinion are appropriate. It shall hold such hearings, examine witnesses and make such inquiries as it may consider necessary or appropriate in conducting its studies and preparing its recommendations. It shall report its findings and recommendations to the 1969 regular session of the Legislature. Such report shall be filed within five calendar days after the session convenes, and upon the filing of such report the committee shall be dissolved.

BE IT FURTHER RESOLVED That the total amount of money expended by the committee, for clerk hire or otherwise, including the per diem and expenses of members, shall not exceed \$10,000.

Which was read and referred to the Standing Committee on Rules.

Mr. Lolley offered the following Senate Joint Resolution, to-wit:

SENATE JOINT RESOLUTION NO. 77

S. J. R. 77. WHEREAS, Mrs. Kathryn S. White, beloved and respected teacher in the Enterprise High School for more than 23 years, died on June 6, 1967; and

WHEREAS, throughout her long and productive career, she influenced the lives of untold numbers of students; and

WHEREAS, her friendship, unusual teaching ability and wit were instrumental in her being named Enterprise's Outstanding Teacher in 1964; and

WHEREAS, her devotion to her church and community will be long remembered by those she served;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express great sorrow at the untimely death of this outstanding teacher and citizen; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to her widower, Mr. H. H. White, her sons, Herbert White and William White.

On motion of Mr. Lolley, the Rules were suspended and the Resolution was adopted by the Senate.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 78. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Twenty-eighth Legislative Day only:

Bill No.	Page No.	Author
S. B. 116	21	Mr. Bailes
H. B. 186	21	Mr. Neville
H. B. 492	104	Mr. Merrill, et al
S. B. 457	26	Messrs. Vacca, et al
S. B. 95	34	Messrs. Skidmore, et al
S. B. 483	92	Mr. Turner
S. B. 324	6	Mr. Givhan
H. B. 82	66	Mr. Cameron, et al
H. B. 146	66	Mr. Springer et al
S. B. 287	22	Messrs. Skidmore et al
S. B. 484	36	Messrs. Engel, et al
S. B. 485	37	Messrs. Engel, et al
S. B. 433	90	Messrs. Jackson, et al
S. B. 487	50	Mr. Goodwyn
H. B. 332	96	Messrs. Drake, et al
H. B. 106	17	Mr. Dobbs, et al
H. B. 49	94	Messrs. Higginbotham, et al
S. B. 363	13	Mr. Clark
H. B. 116	95	Messrs. Bowers, et al
S. B. 182	12	Mr. Turner
S. B. 274	92	Messrs. Nabors, et al
S. B. 185	12	Mr. Turner
S. B. 495	65	Messrs. Oden, et al
H. B. 220	8	Messrs. Merrill, et al
S. B. 361	11	Messrs. Lolley, et al

S. B. 421	16	Mr. Lindsey
S. B. 453	58	Messrs. Pierce, et al
S. B. 441	20	Mr. Nabors
S. B. 393	14	Messrs. Goodwyn, et al

On motion of Mr. Clark, said Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 116. To provide that all motor vehicles entering an Interstate Highway or limited access highway shall yield the right-of-way to vehicles traveling upon such highway:

was taken up.

The Standing Committee on Public Roads and Highways reported the following substitute for the Bill, S. B. 116, to-wit:

SUBSTITUTE FOR S. B. 116

A BILL TO BE ENTITLED AN ACT

To provide that all motor vehicles entering an Interstate Highway or limited access highway shall yield the right-of-way to vehicles traveling upon such highway, and to authorize the State Highway Department to erect traffic control signs at intersections of such highways.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person driving any motor vehicle, or in physical control of any vehicle, who approaches any Interstate Highway or any limited access highway designated as such by the State Highway Director, shall yield the right-of-way to all vehicles traveling upon such highway, and the State Highway Director is authorized to erect at the point of intersection of any access road with such Interstate Highway or limited access highway, signs notifying drivers of vehicles approaching such Interstate Highway or limited access highway, to yield the right-of-way to all vehicles traveling upon such Interstate Highway or limited access highway.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Albea	Engel	Leonard	Pierce
Bailes	Folsom	Lolley	Radney
Branyon	Giles	McCarley	Skidmore
Carr	Gilmore	McDermott	Stone
Childs	Givhan	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Cooper	Hawkins	Oden	Vacca

—31

Nays:

—0

And said Bill, S. B. 116, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Radney
Branyon	Gilmore	McDermott	Skidmore
Childs	Givhan	Morrow	Stone
Clark	Harris	Nabors	Torbert
Cooper	Hawkins	O'Bannon	Turner
Dominick	Jackson	Oden	Vacca

—31

Nays:

—0

The Bill:

H. 186. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

Was read a third time at length and passed.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Cooper	Leonard	Pelham
Albea	Engel	Lolley	Pierce
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Stone
Carr	Goodwyn	Morrow	Torbert
Childs	Harris	Nabors	Turner
Clark	Jackson	O'Bannon	Vacca

—27

Nay: Mr. Folsom

—1

The Bill:

H. 492. To provide for the organization, creation, and operation of a state law institute as an official advisory law revision, law reform, and legal research agency of the State of Alabama.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pierce
Albea	Giles	Lolley	Radney
Bailes	Gilmore	McCarley	Skidmore
Branyon	Givhan	McDermott	Stone
Carr	Goodwyn	Morrow	Torbert
Childs	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Engel	Jackson	Pelham	

—30

Nays:

—0

The Bill:

S. 457. To enact the Highway and Traffic Safety Coordination Act of 1967; to declare the public policy of this State in regard to highway and traffic safety; to provide that the Governor shall be the chief administrator of a comprehensive program of highway and traffic safety; to create the office of Coordinator of Highway and Traffic Safety; to provide for a coordinator, his appointment, duties and responsibilities; to grant certain powers to the Governor in connection with his responsibility as chief administrator of this State's highway and traffic safety programs; to authorize various counties and municipalities to contract and exercise other powers which might be necessary in order that they might participate in certain highway and traffic safety programs; to repeal conflicting laws; and for other purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham	
Adams	Engel	Jackson	Radney	
Albea	Folsom	Leonard	Skidmore	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Carr	Givhan	Morrow	Turner	
Childs	Goodwyn	Nabors	Vacca	
Cooper	Harris	O'Bannon		—30

Nays: —0

The Bill:

S. 95. To prohibit certain operations in proximity to high voltage electrical power lines and prescribe the punishment therefor.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 95, to-wit:

SUBSTITUTE FOR SENATE BILL 95

A BILL
TO BE ENTITLED
AN ACT

To prohibit certain operations in proximity to high voltage electrical power lines and prescribe the punishment therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. No person shall either personally or through an employee or agent, or as an employee or agent of another, use, operate, place, erect or move any tools, machinery, equipment, apparatus or material, or move any building or other structure or any part thereof within six feet of a high voltage overhead conductor of electricity except where such person has arranged effectively to safeguard against danger of accidental contact with such high voltage overhead conductor of electricity by either: (a) the erection of mechanical barriers which shall prevent

physical contact with such high voltage overhead conductor, (b) de-energizing such high voltage overhead conductor and grounding the same, or (c) temporary or permanent relocation of such high voltage overhead conductor. Only in the case of compliance with one or more of the above safety measures after the negotiation of mutually agreeable arrangements with the owner or operator of such high voltage overhead conductor, may the six-foot clearance requirement be reduced. In no event shall the provisions of this section be construed to permit any contact being made with high voltage overhead conductors and their supports, whether energized or not. The required six-foot clearance shall not be provided by impressing strains by attachment or otherwise upon the conductors or their supporting structures or upon their appurtenances or associated equipment.

Each person who fails to comply with or who violates the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding Five Hundred Dollars or imprisonment not exceeding twelve months or both.

As used in this section the term "high voltage" means a voltage in excess of 750 volts, measured between conductors or measured between the conductor and the ground; the term "overhead conductor" means any electrical conductor (either bare or covered) installed above the ground, except such conductors as are enclosed in iron pipe or other metal covering of equal strength.

Section 2. Whoever operates or employs any person to operate any crane, derrick, power shovel, drilling rig, pile driver, or like apparatus, any part of which is capable of vertical, lateral or swinging motion, without there being posted and maintained in plain view of the operator thereof a durable, weather-resistant warning sign legible at twelve feet, reading "WARNING, unlawful to operate this equipment within six feet of overhead high voltage lines," is guilty of a misdemeanor and upon conviction shall be fined not more than Five Hundred Dollars and imprisoned for not more than twelve months, or both fined and imprisoned. Each day's failure to post or maintain such a sign shall constitute a separate offense.

Section 3. The provisions of this Act shall not apply to (a) the construction, reconstruction, operation or maintenance of any overhead conductor or its supporting structures, appurtenances and associated equipment, by persons authorized by the owner; (b) the operation of standard railway equipment which is normally used in the transportation of freight or passengers, or the operation of relief trains or other emergency railroad equipment by persons authorized by the owner; (c) any construction, reconstruction, operation or maintenance of any overhead structures covered by rules prescribed by the Alabama Public Service Commission, nor (d) to any person employed or engaged in the electrical generating, transmission, distribution or communication business.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act, being for the preservation of the public health and safety, shall take effect immediately upon its passage and approval by the Governor.

Section 6. All laws and parts of laws in conflict with this Act are hereby repealed.

Which was adopted.

Yeas 24; Nays 4.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Cooper	Goodwyn	Nabors	Torbert	
Dominick	Hawkins	Oden	Turner	
Engel				—24

Nays:

Messrs.:	Childs	Harris	Radney	
Adams				—4

Mr. Radney offered the following amendment to the substitute for the Bill, S. B. 95, to-wit:

Amend S. B. 95 as substituted by adding thereto as Sec. 3(a)

Nothing in this Act shall be interpreted to relieve any utility company of civil liability that it would otherwise have except for this Act.

Which was adopted.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Adams	Folsom	Leonard	Pierce	
Albea	Gilmore	Lolley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Dominick				—28

Nay: Mr. Childs —1

And said Bill, S. B. 95, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 18; Nays 12.

Yeas:

Messrs.:	Giles	McDermott	Skidmore	
Albea	Gilmore	Morrow	Stone	
Branyon	Givhan	Nabors	Torbert	
Carr	Hawkins	Pelham	Turner	
Engel	Leonard	Pierce		—18

Nays:

Messrs.:	Cooper	Harris	McCarley	
Adams	Dominick	Jackson	O'Bannon	
Bailes	Folsom	Lolley	Radney	
Childs				—12

The Bill:

S. 483. To make an appropriation for payment of court costs, expenses and attorneys fees incurred in the defense of cases involving Health, Education and Welfare "Guidelines" in Education.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nay 1.

Yeas:

Messrs.:	Folsom	Lolley	Pierce
Adams	Giles	McCarley	Radney
Albea	Gilmore	McDermott	Skidmore
Branyon	Givhan	Nabors	Torbert
Childs	Hawkins	Oden	Turner
Cooper	Jackson	Pelham	Vacca
Engel	Leonard		

—25

Nay: Mr. Bailes

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 90. Relating to the treatment and handling of livestock in transit along roads and highways and in livestock markets; authorizing the Commissioner of Agriculture and Industries to regulate further the operation of livestock markets with respect to cruel and injurious treatment of livestock; making cruel and unnecessary abuse of livestock a misdemeanor and providing penalties for violations.

Also:

S. 187. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, in relation to the compensation and expenses of members of the board.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 324. To declare the public policy of the State of Alabama in regard to encouraging the education of all the school children of the state; to create as a body politic and corporate the Alabama Financial Assistance Commission; to provide for the membership of said Commission; to define the duties, powers and functions of said Commission; to authorize said Commission to make and pay grants of financial assistance from the funds of said Commission for the education of the school children of the state in private non-sectarian elementary and secondary schools in the state; to prescribe standards of eligibility for such financial assistance; to provide a procedure for making application for such financial assistance and for the approval or disapproval of same; to provide for judicial review of the actions of the Commission in the event of disapproval of an application for such financial assistance; to provide that any person who shall knowingly swear or affirm falsely to any matter or thing required by the terms of this Act shall be guilty of false

swearing and to provide penalties therefor; to provide that any person accepting any payment authorized by this Act with knowledge that the child for whose benefit the payment is received was not actually a bona fide student at a private non-sectarian elementary or secondary school during the period for which payment is received, shall be guilty of a misdemeanor and prescribing penalties therefor; to create and establish in the state treasury the Alabama Financial Assistance Fund; and to repeal all laws or parts of laws in conflict with this Act.

was taken up.

Mr. Givhan offered the following amendment to the Bill, S. B. 324, to-wit:

AMEND S. B. 324

Amend S. B. 324 by striking therefrom Section 8 in its entirety and insert in lieu thereof the following:

"Section 8. There shall be established in the state treasury a special fund to be designated the "Alabama Financial Assistance Fund," which fund shall be composed of all monies received by the Alabama Financial Assistance Commission regardless of source. Payments shall be made from the fund only on orders of the Commission or its officers as authorized by the Commission."

further amend S. B. 324 by striking therefrom Section 11 in its entirety and insert in lieu thereof the following:

"Section 11. All laws or parts of laws in conflict herewith be and the same are hereby repealed only to the extent of such conflict. This Act supersedes all statutes of this State providing for payment of school tuition grants."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Adams	Giles	Lolley	Pierce
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Skidmore
Carr	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Torbert
Cooper	Hawkins	O'Bannon	Turner
Dominick	Jackson	Oden	Vacca
Engel			

—32

Nays:

—0

Mr. Nabors offered the following amendment to the Bill, S. B. 324, as amended, to-wit:

AMENDMENT TO SENATE BILL 324

Amend S. B. 324, Section 5, Subsection (D) by striking the clause, "and no financial assistance shall exceed the obligation actually incurred by the applicant;" and inserting in lieu thereof the following, "and no financial assistance shall exceed the sum of \$181.50 for 180 days within any one calendar year or the sum of not to exceed \$1.00 per day for each day the applicant shall have attended such private school as provided for in Section 5(A);"

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Adams	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson	Pelham		—30

Nays: —0

Mr. Morrow moved that further consideration of the Bill, S. B. 324, as amended, be postponed until the next Legislative Day.

On motion of Mr. Givhan, the motion to postpone was laid on the table.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Engel	Goodwyn	Lolley	
Adams	Folsom	Hawkins	McCarley	
Branyon	Giles	Jackson	Pelham	
Carr	Givhan	Leonard	Turner	
Cooper				—16

Nays:

Messrs.:	Gilmore	Nabors	Skidmore	
Bailes	Harris	Pierce	Torbert	
Childs	McDermott	Radney	Vacca	
Dominick	Morrow			—13

Mr. Harris offered the following amendment to the Bill, S. B. 324, as amended, to-wit:

AMENDMENT TO S. B. 324, AS AMENDED

Add under Section 5 subsection (J) as follows:

(J) There shall be deducted from any funds payable from the Minimum Program Fund of the State of Alabama to any school system wherein a child resides on whose behalf any payments are made pursuant to this Act an amount equal to the amount so paid or authorized to be paid pursuant to this Act.

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 17; Nays 8.

Yeas:

Messrs.:	Engel	Goodwyn	Lolley	
Adams	Folsom	Hawkins	Oden	
Branyon	Giles	Jackson	Pelham	
Clark	Gilmore	Leonard	Turner	
Cooper	Givhan			—17

Nays:

Messrs.:	Dominick	Morrow	Radney
Bailes	Harris	Pierce	Vacca
Childs			

—8

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Steagall:

H. J. R. 74. WHEREAS, The Carroll High School Band of Ozark, under the direction of Mr. John H. "Pete" Moseley, has been designated as the official representative of the Department of Alabama, Veterans of Foreign Wars and of the entire State of Alabama at the annual convention of the Veterans of Foreign Wars of the United States, to be held at New Orleans, Louisiana, August 19, through 23, 1967; and

WHEREAS, The Carroll High School Band of Ozark will compete with other bands from throughout the nation in the areas of musical ability, marching, and appearance at the said annual convention of the Veterans of Foreign Wars of the United States; and

WHEREAS, The said Carroll High School Band of Ozark has brought honor and distinction to Carroll High School, the City of Ozark, and the entire State of Alabama on many occasions in the past in its appearances in this State and other states;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we do hereby congratulate the Carroll High School Band of Ozark on being selected to represent the Department of Alabama, Veterans of Foreign Wars and the State of Alabama at the annual convention of the Veterans of Foreign Wars of the United States at New Orleans, Louisiana, August 19 through 23, 1967;

BE IT FURTHER RESOLVED That we extend our best wishes to the Carroll High School Band in its competition with other bands from throughout the nation; and

BE IT FURTHER RESOLVED That a copy of this resolution be furnished Mr. John H. "Pete" Moseley, Director of the Carroll High School Band and that sufficient copies be provided for each member of the Carroll High School Band.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Adams, the Rules were suspended and the Resolution, H. J. R. 74, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Grayson, Collins (M), Brown, Bank, Garrett, Springer, Graham, Berryman (W), Ellis, Shumate, Collier, Hobbie, Lybrand, Downing, Owen (Baldwin), Hain, Burgess, Fine, Kilgore, McLain, Sessions, Waggoner, House, Cherner, Jackson (Jeff), Bowers, Holman, McCorquodale, Pruitt, Paulk, Stubbs, Foshee, Beck, Mays, Jackson (F), Headley, Brannan, Harris, Culver, Blanton, Smith (P), Young, Malone, Lemley, Hogan, Jones, Turnham, Smith (C), Marr and Drake:

H. J. R. 77. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature of Alabama opposes the relinquishing by the United States of its existing rights, powers and authority over the Canal Zone and Panama Canal.

BE IT FURTHER RESOLVED, That certified copies of this Resolution be forwarded to President Lyndon B. Johnson, Secretary Dean Rusk, and the Members of the Alabama Congressional Delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDermott, the Rules were suspended and the Resolution, H. J. R. 77, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Culver, House, Sessions and Brown:

H. J. R. 75. WHEREAS Paul (Bear) Bryant and Ralph (Shug) Jordan, football coaches of the University of Alabama and Auburn University as state chairmen of the Bryce-Partlow Chapel Fund have joined forces to secure funds for the construction of inter-faith chapels at Partlow State School and Hospital and at Bryce Hospital; and

WHEREAS through the untiring efforts of Coach Bryant and Coach Jordan active support and endorsement of the chapel fund has been given by individuals, churches, civic organizations and schools; and

WHEREAS Coach Bryant and Coach Jordan warrant acclaim for their exceptional service to the State in leading a drive which will ultimately help thousands of patients in Partlow School and Bryce Hospital enjoy interdenominational worship services; now, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature of Alabama unites in commending Coach Bryant and Coach Jordan for their competent and valuable services as chairmen of the Bryce-Partlow Chapel Fund Drive and express our sincere appreciation and gratitude for their untiring efforts on behalf of our less fortunate citizens.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Coach Paul (Bear) Bryant and Coach Ralph (Shug) Jordan.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 75, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pennington:

H. 265. Relating to revenue and taxation; approving, adopting, and enacting into law the Multistate Tax Compact relating to taxation of multistate taxpayers; making the State of Alabama a party thereto; providing for appointment of a member from the State of Alabama to the Multistate Tax Commission created thereby; providing for counsel to assist the member of the Multistate Tax Commission; providing for participating in interstate audits under Article VIII of the Compact; and making an appropriation to carry out the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 265. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pennington:

H. 264. To authorize the Department of Revenue to prepay to employees of said Department necessary travel expenses for such employees on authorized official State business outside the State of Alabama; to provide certain limitations as to the amount of such prepaid expenses; and to provide that the Department of Examiners of Public Accounts shall annually examine the expenditure of funds used in accordance with this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 264. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pennington:

H. 261. To provide an election for multistate businesses to report and pay income tax on the basis of a percentage of the volume of business where the gross sales during the tax year within this state is not in excess of \$100,000 and to provide a percentage rate of $\frac{1}{4}$ of 1% of such volume of sales.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 261. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 334. To provide for establishment and operation of an Alabama Sports Hall of Fame Board, and to prescribe its powers and duties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pennington:

H. 262. To further amend Title 51, Section 788, as amended, Code of Alabama 1940, which relates to the levy of the use tax.

Also:

By Mr. Pennington:

H. 266. To provide for the allocation and apportionment of deductions and exemptions for income tax purposes by resident taxpayers, including domestic corporations, engaged in multistate business.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 262 and 266. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owens (Etowah):

H. J. R. 68. WHEREAS the capitol building represents the focal point of state government and also provides headquarters for two branches of government; and

WHEREAS portions of the capitol building are badly in need of repair and redecoration to restore the seat of government to its rightful beauty and structural soundness; and

WHEREAS proper and adequate facilities for the state agencies housed within the capitol building should be made available, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That:

1. There shall be a joint interim committee, to be designated the "Capitol Complex Committee," to meet on call of its chairman or at the request of a majority of its membership during the interim between the approval date of this Resolution and the close of the Regular Legislative Session of 1971.

2. The committee shall consist of five members of the House of Representatives and five members of the Senate. The Speaker of the House of Representatives shall name the chairman of the committee from the members selected from the House of Representatives and the Lieutenant Governor shall name the vice chairman from the members selected from the Senate.

3. The committee shall develop a comprehensive plan of repair and restoration of the north and south wings of the State Capitol Building, and the construction of a new east wing to provide space needed by the various agencies presently occupying the capitol building, or to accommodate agencies who require space or facilities in the capitol building to effectively and efficiently discharge their duties and responsibilities and is directed to consider the recommendations of the Capitol East Wing Study Committee and is authorized to carry out the recommendations of that committee. The plan so developed shall coordinate architectural and aesthetic considerations in the most efficient, expeditious, and economical manner of accomplishing the desired results. To that end the committee shall determine the financing necessary to implement the provisions of this plan.

4. The committee is authorized and directed and has exclusive authority to formulate detailed plans and specifications necessary for the repair and restoration of the north and south wings of the capitol building, and the removal of the old and construction of a new east wing. In developing these plans and specifications the committee shall consult and request the cooperation and advice of state or private architects, engineers, and interior designers; and solicit and accept information, suggestions, and recommendations from all interested parties. The committee is authorized in its sole discretion to accept competitive proposals from various builders, engineers, interior designers and others relating to these plans and specifications after proper financing has been provided for.

5. The committee is authorized to employ and to obtain such professional, expert, clerical, or other assistance as may be required to carry out the purposes of this Resolution. If the legislature is not in session during any meeting of the committee created herein, the committee members shall be paid from the proper legislative funds heretofore or hereafter appropriated, their per diem, travel expenses plus all other reasonable and necessary expenses incurred in carrying out the intent of this Resolution.

6. The committee shall prepare a report of its findings and recommendations and submit the same to the governor and to the State Building Commission as quickly as possible.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 68, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Springer and Merrill:

H. 443. To amend Section 416, Title 51, Code of Alabama 1940, which relates to assessment of income tax against those failing to make return and remit the amount due and penalties for such failure.

Also:

By Messrs. Springer and Merrill:

H. 444. To further amend Section 2, Act No. 100, Second Special Session 1959, which relates to the levy of the sales tax.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 443 and 444. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 43. To provide time off duty for state employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members.

Also:

S. 172. To make an additional appropriation for salaries of certain county health department employees who are subject to the merit system for county health services of the Alabama State Department of Health.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cherner and Ellis:

H. 706. To amend further Code of Alabama 1940, Title 52, Sections 297 and 301, relating to compulsory school attendance.

Also:

By Messrs. Hobbie, Cameron, Harris, Smith (P), Shumate, Meade and McElhaney:

H. 377. To amend Section 486 of Title 51, Code of Alabama 1940, Recompiled 1958, which levies a license on circuses.

Also:

By Messrs. Hobbie, Cameron, Smith (P), Harris, Meade and McElhaney:

H. 378. To amend Section 510 of Title 51, Code of Alabama 1940, Recompiled 1958, which levies a license on horse shows and dog and pony shows, etc.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 706. To the Committee on Education

H. B.'s 377 and 378. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Headley, House, Beck, Crane, Ellis, Drake, Dobbs, Gloor, Burgess, Sessions, Shumate, Haygood, Pearson, Young, Culver, Brown, Meade, Weeks, Watkins, Smith (C), Bank, Lemley, Merrill, Lybrand, Harper, Snell, Dill, Perloff, Wright, Snodgrass, Garrett, Williams, Owens (W.E.), Owen (Baldwin), Kilgore, Berryman (W), Stubbs, Jackson (T), Owens (W), Hill, Graham, Wood, Brassell, Malone, Grayson, Yeilding, Slate, Cameron, Hobbie, Collier, Meeks, Bolton, Bowers, Holman, Waggoner, Pennington, Doss and Downing:

H. 223. To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular

area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 223. To the Committee on Mining and Manufacturing

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 169. To make a supplemental appropriation to the Department of Agriculture and Industries.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF S. B. 324

The Senate proceeded to further consideration of the Bill:

S. 324. To declare the public policy of the State of Alabama in regard to encouraging the education of all the school children of the state; to create as a body politic and corporate the Alabama Financial Assistance Commission; to provide for the membership of said Commission; to define the duties, powers and functions of said Commission; to authorize said Commission to make and pay grants of financial assistance from the funds of said Commission for the education of the school children of the state in private non-sectarian elementary and secondary schools in the state; to prescribe standards of eligibility for such financial assistance; to provide a procedure for making application for such financial assistance and for the approval or disapproval of same; to provide for judicial review of the actions of the Commission in the event of disapproval of an application for such financial assistance; to provide that any person who shall knowingly swear or affirm falsely to any matter or thing required by the terms of this Act shall be guilty of false swearing and to provide penalties therefor; to provide that any person accepting any payment authorized by this Act with knowledge that the child for whose benefit the payment is received was not actually a bona fide student at a private non-sectarian elementary or secondary school during the period for which payment is received, shall be guilty of a misdemeanor and prescribing penalties therefor; to create and establish in the state treasury the Alabama Financial Assistance Fund; and to repeal all laws or parts of laws in conflict with this Act.

as amended.

Mr. Nabors offered the following amendment to the Bill, S. B. 324, as amended, to-wit:

AMENDMENT TO S. B. 324 AS AMENDED

Amend Section 5 (D) as amended by adding thereto the following:

”; provided however that whenever a private school is established within the geographic area of any public school system within the State of Alabama and financial assistance for any applicants to such private school is paid by the Commission, as provided in Section 5 (I) of this Act, such public school system shall be allocated not to exceed the sum of \$181.50 from the Minimum Program Fund as created and administered by the laws of the State of Alabama for each child in average daily attendance in such public school system for a school year, and provided further that this allocation to such public school system of \$181.50 for each child in average daily attendance in such public school system shall be in lieu of any and all payments made to such public school system from the said Minimum Program Fund, the Public School Fund or any other monies appropriated by the Legislature of the State of Alabama for public education.

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Folsom	Goodwyn	Lolley	
Adams	Giles	Hawkins	McCarley	
Branyon	Gilmore	Jackson	Pelham	
Clark	Givhan	Leonard	Turner	
Engel				—16

Nays:

Messrs.:	Dominick	Nabors	Radney	
Bailes	Harris	O'Bannon	Skidmore	
Carr	McDermott	Pierce	Torbert	
Childs	Morrow			—13

Mr. Bailes offered the following amendment to the Bill, S. B. 324, as amended, to-wit:

AMENDMENT TO S. B. 324, AS AMENDED

Strike out in section 3, paragraph 3, line 6 the word legal.

On motion of Mr. Givhan, said amendment was laid on the table.

Mr. Bailes moved that further consideration of the Bill, S. B. 324, be postponed until the Thirtieth Legislative Day; Mr. Bailes then requested unanimous consent to carry over his motion to postpone as Unfinished Business for the next Legislative Day, which was granted.

The Bill:

H. 146. Relating to membership of state, municipal, and volunteer firefighters in organizations asserting the right to strike; prohibiting participation by firefighters in any strike against the state or any municipality in the state, and prohibiting their membership in any organization that asserts the right to strike against the state or any municipality in the state.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden
Albea	Engel	Jackson	Pelham
Bailes	Folsom	Lolley	Pierce
Branyon	Giles	McCarley	Skidmore
Childs	Gilmore	McDermott	Stone
Clark	Givhan	Morrow	Torbert
Cooper	Goodwyn	Nabors	Vacca

—27

Nays:

—0

The Bill:

H. 82. To provide that the disability or death of a firefighter caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for firefighters who, while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of firefighters who, while employed by a municipality, are killed in the line of duty.

was taken up.

Mr. Harris offered the following amendment to the Bill, H. B. 82, to-wit:

AMENDMENT TO H. B. 82

Amend Section 1 of said bill by deleting the semi-colon after the words "respiratory disease" and substitute in lieu thereof as follows

" , which condition has been medically determined to have been service connected; "

Which was adopted.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Albea	Engel	Lolley	Pelham
Bailes	Folsom	McCarley	Skidmore
Branyon	Giles	McDermott	Stone
Carr	Gilmore	Morrow	Torbert
Childs	Givhan	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—29

Nays: Messrs.: Goodwyn, Pierce

—2

Mr. McDermott offered the following amendment to the Bill, H. B. 82, as amended, to-wit:

AMENDMENT TO H. B. 82, AS AMENDED

In Sections 2 and 3, strike out the words "three years" where they first appear together therein and substitute in lieu thereof the words "six years."

On motion of Mr. Pelham, said amendment was laid on the table.

Yeas 23; Nays 3.

Yeas:

Messrs.:	Folsom	Jackson	Pelham
Albea	Giles	Leonard	Pierce
Branyon	Gilmore	Lolley	Skidmore
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	Morrow	Turner
Clark	Hawkins	Oden	Vacca

—23

Nays: Messrs.: Dominick, McDermott, Radney —3

And said Bill, H. B. 82, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden
Albea	Engel	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Branyon	Giles	Lolley	Skidmore
Carr	Gilmore	McCarley	Stone
Childs	Givhan	McDermott	Turner
Clark	Goodwyn	Morrow	Vacca
Cooper	Harris	Nabors	

—30

Nays: —0

The Bill:

S. 287. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, fix membership dues, and authorize gifts, contributions and donations to the fund.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 2.

Yeas:

Messrs.:	Folsom	Leonard	Pierce
Albea	Giles	Lolley	Skidmore
Bailes	Givhan	McCarley	Stone
Clark	Goodwyn	McDermott	Torbert
Cooper	Hawkins	Oden	Turner
Dominick	Jackson	Pelham	Vacca
Engel			

—24

Nays: Messrs.: Branyon, Carr —2

The Bill:

S. 484. To provide for and authorize the organization of a public corporation in the state to be named Tombigbee Valley Development Authority, for the purposes of furthering the development of (1) a navigable waterway between Demopolis, Alabama, and the Tennessee River and (2) a flood control project on the tributary streams of the Tombigbee River; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway and the proposed flood control project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding \$10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway and the proposed flood control project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Nabors	Torbert
Childs	Harris	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick			

—28

Nays:

—0

The Bill:

S. 485. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Demopolis, Alabama, and the Tennessee River and (2) the implementation and maintenance of flood control projects on the tributary streams of the Tombigbee River; to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding \$10,000,000; and to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Albea	Engel	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Branyon	Giles	Lolley	Skidmore
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Nabors	Vacca
Cooper			

—28

Nays:

—0

The Bill:

S. 433. To amend Section 70 of Title 36, 1940 Code of Alabama (as amended) all of which relates to the penalty for violation by person whose license or driving privilege has been canceled, suspended, or revoked.

was taken up.

The Standing Committee on Public Roads and Highways reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 433

In Section 1, strike out the paragraph beginning with the words and figures "Section 70:" and insert in lieu thereof the following:

Section 70. Any person whose driver's or chauffeur's license issued in this or another State, or whose driving privilege as a nonresident, has been cancelled, suspended, or revoked for any cause other than for driving while intoxicated, and who drives any motor vehicle upon the highways of this State while such license or privilege is cancelled, suspended, or revoked, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars, nor more than five hundred dollars, and in addition thereto may be imprisoned for not more than thirty days. Also at the discretion of the director of public safety such person's license may be revoked or suspended for an additional period of six months.

Any person whose driver's or chauffeur's license issued in this or another State, or whose driving privilege as a non-resident, has been revoked as provided in this article for driving while intoxicated who drives any motor vehicle on the highways of this State while such license or privilege is revoked shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars nor more than five hundred dollars, and in addition thereto may be imprisoned for not less than thirty days nor more than ninety days, or both fined and imprisoned.

Also, in Section 1, third paragraph, insert before the words "This Act" the following: Section 2.

Which was adopted.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Cooper	Harris	O'Bannon
Albea	Dominick	Jackson	Oden
Bailes	Engel	Leonard	Pelham
Branyon	Folsom	Lolley	Pierce
Carr	Giles	McCarley	Skidmore
Childs	Givhan	McDermott	Stone
Clark	Goodwyn	Morrow	Vacca

—27

Nay: Mr. Torbert

—1

And said Bill, S. B. 433, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 18; Nays 11.

Yeas:

Messrs.:	Childs	McDermott	Skidmore
Albea	Dominick	Morrow	Stone
Bailes	Giles	Nabors	Turner
Branyon	Jackson	Pelham	Vacca
Carr	Leonard	Pierce	

—18

Nays:

Messrs.:	Folsom	Harris	O'Bannon
Clark	Givhan	Lolley	Oden
Cooper	Goodwyn	McCarley	Torbert

—11

The Bill:

S. 487. To amend Section 2 of Title 51 of the Code of Alabama 1940, as amended, which relates to exemptions from ad valorem taxation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 7.

Yeas:

Messrs.:	Clark	Goodwyn	Lolley
Albea	Cooper	Harris	McCarley
Bailes	Folsom	Hawkins	Pelham
Branyon	Giles	Jackson	Skidmore
Carr	Gilmore	Leonard	Stone
Childs	Givhan		

—21

Nays:

Messrs.:	McDermott	O'Bannon	Torbert
Dominick	Morrow	Pierce	Vacca

—7

MOTION TO ADJOURN LOST

At 7:12 P. M., Mr. O'Bannon moved that the Senate do now adjourn until Wednesday, August 9, 1967, at 2 o'clock P. M., which motion was lost.

Yeas 8; Nays 21.

Yeas:

Messrs.:	Jackson	Morrow	Pierce	
Bailes	McDermott	O'Bannon	Torbert	
Harris				—8

Nays:

Messrs.:	Engel	Hawkins	Pelham	
Albea	Folsom	Leonard	Skidmore	
Carr	Giles	Lolley	Stone	
Childs	Gilmore	Nabors	Turner	
Clark	Givhan	Oden	Vacca	
Dominick	Goodwyn			—21

BILLS ON THIRD READING RESUMED

The Bill:

H. 332. Relating to public education; authorizing and providing for the acquisition, operation, and maintenance of Snead Junior College as a state educational institution, and making an appropriation in furtherance of such purpose.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Albea	Folsom	Leonard	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick				—32

Nays: —0

The Bill:

H. 106. To redefine the crime of larceny of a dog and to prescribe the punishment for such offense.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 106

Amend House Bill 106 by deleting the words "not less than one thousand dollars." and adding the words "not more than one thousand dollars." in lieu thereof.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Oden
Albea	Folsom	Lolley	Pelham
Bailes	Giles	McCarley	Pierce
Branyon	Gilmore	McDermott	Skidmore
Carr	Harris	Morrow	Stone
Childs	Hawkins	Nabors	Torbert
Clark	Jackson	O'Bannon	Turner

—27

Nays:

—0

Mr. McDermott offered the following substitute for the Bill, H. B. 106, as amended, to-wit:

SUBSTITUTE FOR H. B. 106

A BILL TO BE ENTITLED AN ACT

To redefine the offense of stealing a dog and to prescribe the punishment therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who steals a dog is guilty of grand larceny and, on conviction, shall be imprisoned in the penitentiary for not less than one nor more than ten years.

Section 2. The provisions of Code 1940, Title 14, Section 334 in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Cooper	Jackson	O'Bannon
Albea	Folsom	Lolley	Oden
Bailes	Giles	McCarley	Pelham
Branyon	Gilmore	McDermott	Pierce
Carr	Givhan	Morrow	Skidmore
Childs	Harris	Nabors	Stone
Clark	Hawkins		

—25

Nay: Mr. Dominick

—1

Mr. Folsom offered the following amendment to the Bill, H. B. 106, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 106 AS SUB.

Change the period at the end of Section 1 to a comma and add the following:

“, or fined not less than \$100 nor more than \$1000, in the discretion of the court or jury trying the case.”

Which was adopted.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Dominick	Lolley	Pelham	
Albea	Folsom	McCarley	Pierce	
Bailes	Giles	McDermott	Skidmore	
Branyon	Gilmore	Morrow	Stone	
Carr	Givhan	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Leonard			—29

Nay: Mr. Goodwyn —1

And said Bill, H. B. 106, as thus amended, was then read a third time at length and passed.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Folsom	Leonard	Oden	
Albea	Giles	Lolley	Pelham	
Bailes	Gilmore	McCarley	Pierce	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—29

Nay: Mr. Dominick —1

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

- S. J. R. 60 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. J. R. 61 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. J. R. 62 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 20 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 234 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 379 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 387 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 417 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 424 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 425 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 434 Delivered to the Governor August 3, 1967, at 3:20 P. M.
- S. B. 438 Delivered to the Governor August 3, 1967, at 3:20 P. M.

S. B. 230 Delivered to the Governor August 3, 1967, at 3:20 P. M.
 S. B. 319 Delivered to the Governor August 3, 1967, at 3:20 P. M.
 S. B. 292 Delivered to the Governor August 3, 1967, at 3:20 P. M.
 S. B. 333 Delivered to the Governor August 3, 1967, at 3:20 P. M.
 S. B. 396 Delivered to the Governor August 3, 1967, at 3:20 P. M.
 S. B. 431 Delivered to the Governor August 3, 1967, at 3:20 P. M.
 S. B. 432 Delivered to the Governor August 3, 1967, at 3:20 P. M.
 S. B. 442 Delivered to the Governor August 3, 1967, at 3:20 P. M.

McDOWELL LEE,
 Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 7:45 P. M., on motion of Mr. O'Bannon, the Senate adjourned until Wednesday, August 9, 1967, at 2 o'clock P. M.

TWENTY-NINTH LEGISLATIVE DAY

WEDNESDAY, AUGUST 9, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend H. Mac Johnson, Pastor, Clayton Street Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson	Oden	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Eighth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Adams for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 43. To provide time off duty for state employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members.

Also:

S. 90. Relating to the treatment and handling of livestock in transit along roads and highways and in livestock markets; authorizing the Commissioner of Agriculture and Industries to regulate further the operation of livestock markets with respect to cruel and injurious treatment of livestock; making cruel and unnecessary abuse of livestock a misdemeanor and providing penalties for violations.

Also:

S. 169. To make a supplemental appropriation to the Department of Agriculture and Industries.

Also:

S. 172. To make an additional appropriation for salaries of certain county health department employees who are subject to the merit system for county health services of the Alabama State Department of Health.

Also:

S. 187. To amend further Section 3 of Act No. 1, Regular Session 1945, the act creating the state oil and gas board, in relation to the compensation and expenses of members of the board.

Also:

S. 334. To provide for establishment and operation of an Alabama Sports Hall of Fame Board, and to prescribe its powers and duties.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Lindsey and Cooper:

S. 558. To provide an additional expense allowance for the judge of the first judicial circuit, payable by the counties composing said circuit.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 559. To amend Section 2 of Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796), an act providing additional expense allowances for members of the governing bodies of counties having populations of not less than 17,800 nor more than 18,700.

Committee on Local Legislation No. 1.

By Mr. Engel:

S. 560. To further amend Act No. 248, H. 87, Regular Session 1955 (Acts 1955, v. 1, p. 586), an Act levying a state lodgings tax; to provide further for the distribution of revenue derived therefrom.

Committee on Finance and Taxation.

By Mr. Turner:

S. 561. To further amend Section 27, Title 17, Code of Alabama, 1940 as amended, in relation to the meeting days of boards of registrars and validating and confirming expenditures heretofore made.

Committee on Public Buildings and Grounds.

By Mr. Radney:

S. 562. To apply only in counties having populations of not less than 28,500 nor more than 30,500, providing further for the compensation of members of the county board of education in all such counties.

Committee on Local Legislation No. 1.

By Mr. Radney:

S. 563. To apply only in counties having populations of not less than 28,500 nor more than 30,500, making further provisions for fixing the compensation of the county superintendent of education.

Committee on Local Legislation No. 1.

By Mr. Jackson:

S. 564. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Baldwin County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided: The tax assessor shall receive an annual salary of \$12,000; the tax collector shall receive an annual salary of \$12,000.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Baldwin County, shall provide compensation for clerks, deputies, assistants, and secretaries for the offices enumerated in this Act in such number as may be reasonably necessary for the efficient conduct of their respective offices. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. However, the maximum allowances for clerk-hire and salaries for assistants for each of such officers shall be as follows: For the tax collector, the sum of \$11,500 per annum; for the tax assessor, the sum of \$20,000 per annum.

In addition, the tax assessor and the tax collector shall each be entitled to ten cents per mile for each mile traveled on their annual visits to precincts in October and November of each year as provided by law.

Total salary and clerk-hire and pay for assistants shall not exceed the total amount paid under the present fee system.

Section 3: The fees, commissions percentages, allowances, and charges heretofore collectible for the use of either of the officers named in Section 1 shall be collected hereafter for the use of the county and shall be paid into the general fund of the county. The compensation of such officers, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general funds of the county.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Baldwin County shall provide the tax collector and the tax assessor with the books, stationery, office equip-

ment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of their respective offices.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. This Act shall take effect on October 1, 1967.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, August 3, and August 10, all in the year 1967.

J. H. FAULKNER.

Sworn to and subscribed before me Aug. 10, 1967.

DOROTHY MARTIN,
Notary Public.

By Mr. Giles:

S. 565. To provide for a vote on constitutional amendments in January of even-numbered years and for the election of all party officials on the same date, amending conflicting sections.

Committee on Privileges and Elections.

By Mr. Giles:

S. 566. To provide that in all counties of not less than 110,000 nor more than 150,000 population according to the last federal decennial census, all lists of qualified voters provided to be furnished to election officials and others shall be furnished by the board of registrars of such counties in the same manner and under the same provisions as they have heretofore been furnished by the judge of probate except that all funds connected therewith shall be paid into the county treasury to be used exclusively for the operation of the board of registrars and provided that lists may be furnished for city elections upon request of the official charged with furnishing such lists.

Committee on Local Legislation No. 1.

By Mr. Lolley:

S. 567. To amend further Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act certain contracts relative to the rental, repair and replacement of parts of heavy duty equipment.

Committee on Finance and Taxation.

By Mr. Turner:

S. 568. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development, contracts for the furnishing of fiscal or financial advice or services, and contracts for the construction and equipment of buildings for public building authorities under the provisions of Act No. 493 of the 1955 Regular Session of the Legislature of Alabama (as amended).

Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 112. To create a Commission on Physical Fitness; to prescribe the powers, duties and authority of the commission and to provide for the selection, term, qualifications, powers, duties, authority and compensation of the members thereof; to provide for the appointment, duties, and compensation of an executive secretary and other employees of the commission.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 218. To authorize the governing body of each county in this state which, during its then next preceding fiscal year, collected as much as or more than \$40,000 from the special tax at a rate not exceeding one-fourth of one per centum levied in the county under the provisions of Section 215 of the Constitution of Alabama for payment of any debt or liability created for the erection of necessary public buildings, bridges or roads, to sell and issue interest bearing warrants payable solely out of and in anticipation of the receipt by such county of its share of the gasoline excise taxes levied by Section 647 of the Code of Alabama of 1940, as amended, and by Act No. 674 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, and required by law to be distributed to that county; to authorize each such county to pledge for payment of the principal of and interest on the warrants so issued so much as may be necessary for that purpose of the receipts by it from the said gasoline excise taxes and to specify the priority of such pledges; to provide the purposes for which the proceeds from the sale of the said warrants may be used; to authorize each such county to sell and issue refunding warrants for the purpose of refunding the principal of outstanding warrants of the county together with the interest accrued thereon and any premium necessary to retire the warrants so refunded, whether such outstanding warrants were issued under this act or under any other law in effect at the time of the issuance thereof; to prohibit any county while subject to this act from issuing warrants payable from any part of the proceeds from the said gasoline excise taxes except under the provisions of this act; to repeal Act No. 728 adopted at the 1953 Regular Session of the Legislature of Alabama; and to repeal all general, special and local laws to the extent of any conflict with the provisions hereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Garrett and Melton:

H. 742. To create an inferior court for counties having populations not less than 22,372 nor more than 24,000; to replace county courts of counties having populations of not less than 22,372 nor more than 24,000.

Also:

By Messrs. Drake and Mathews:

H. 618. To amend Act No. 565, H. B. 626, Regular Session 1955, an act relating to the management of public records and providing for state and county records commissions.

Also:

By Mr. Lybrand:

H. 796. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political sub-divisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

Also:

By Messrs. Laxson, Snodgrass, McLain, Jones and Pennington:

H. 725. To amend Act No. 394, S. 483, Regular Session 1965, relating to the office of tax assessor of Madison County, so as to provide further for the clerks and assistants for the tax assessor.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 394, S. 483, Regular Session 1965, relating to the office of tax assessor of Madison County, so as to provide further for the clerks and assistants for the tax assessor.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 394, S 483, Regular Session 1965, an act changing the method of compensating certain officers of Madison County (Acts 1965, v. 1, p. 571) is hereby amended so as to read as follows:

2. The tax assessor of Madison County and the tax collector of said county shall each appoint his own clerks and assistants, and fix their compensation, which shall be paid from the county treasury at the times

and in the manner provided for the payment of salaries of county employees. The total compensation of all such clerks and assistants for the tax assessor shall be not less than \$30,000 nor more than \$70,000 per annum; and the total compensation of all such clerks and assistants for the tax collector shall be not less than \$30,000 nor more than \$50,000 per annum.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1967.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 11, 1967.

OPAL H. DILWORTH,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 742 and 725. To the Committee on Local Legislation No. 1

H. B.'s 618 and 796. To the Committee on Public Buildings and Grounds

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Wright, Tuck, Kilgore, Yeilding, Crane, Sessions, Crawford, Owen (Baldwin) and Brannan:

H. 356. To amend further Section 440 of Title 37 of the Code of Alabama, 1940, as amended, relating to municipal operations.

Also:

By Mr. Pennington:

H. 532. To make an additional appropriation for the expenses of the Office of the State Auditor.

Also:

By Messrs. Bowers, Ellis, Holman, Waggoner, Kilgore, Adwell, Watkins, Weeks, Jackson (T), Gloor and Cook (Jefferson):

H. 114. Relating to offenses against children; to make it unlawful for any man indecently to expose his sexual organs or private parts in the presence of any child under the age of 14; and to fix the punishment therefor.

Also:

By Messrs. Owen (Baldwin), Brannan, Smith (C), Downing, Perloff, Grayson, Hogan, Collins (C), Wood, Collins (W), Marr and Edington:

H. 514. To appropriate from the Seafood Fund for transfer to the State Building Commission the sum of Twenty Thousand Dollars (\$20,000.00), or so much thereof as may be needed to complete the construction of the fishing pier at Gulf State Park; to provide that any unexpended sums shall revert to the Seafood Fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 356. To the Committee on Municipalities and Municipal Organizations

H. B.'s 532 and 514. To the Committee on Finance and Taxation

H. B. 114. To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Tuck:

H. 173. To amend Section 1 of Act No. 644, S. 328, approved September 16, 1953, Acts of Alabama, Regular Session, 1953, page 903, entitled, "An Act relating to fish and game; authorizing the use of certain species of the sunfish family for bait in the streams and waters in the State of Alabama."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 173. To the Committee on Fish and Game

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turnham:

H. 591. To provide for the public health; to permit counties and municipalities to form regional, nonprofit, public corporations; to authorize such corporations to implement programs and to construct, maintain, equip, and operate facilities; to provide that such programs and facilities be used in accordance with standards and criteria established by the State Board of Health and the Alabama Mental Health Board so as to combat any or all forms of mental or emotional illness or debility, including, but not limited to, alcoholism, drug addiction, epilepsy, and mental retardation; to provide for the powers, authorities, and duties of such corporations; to authorize the said corporations to enter into contracts with any agency for the purpose of carrying into effect the above; to authorize local governing bodies to appropriate monies for the support of such facilities and programs; and to repeal any existing law which is in conflict with the provisions of this Act.

Also:

By Mr. Owen (Baldwin):

H. 694. To make an appropriation from the State General Fund to the State Building Commission for additions, remodeling and renovations of the Governor's Mansion at Gulf Shores, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 591. To the Committee on Public Health

H. B. 694. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hain and Blanton:

H. J. R. 78. WHEREAS the State of Alabama, and the City of Selma in particular, suffered a distinct loss in the passing of one of its most beloved and esteemed citizens, Mr. Lucian P. Burns on July 17, 1967; and

WHEREAS Mr. Burns served his city in various official capacities for a total of thirty-three years and never ceased to aid and support every worthwhile community endeavor. He served as a councilman for eight years, as president of the council for eight years, and as mayor for seventeen years when he resigned to become president of the City National Bank of Selma in 1949. At the time of his death, he was chairman of the bank's board, in which capacity he had served for ten years; and

WHEREAS Mr. Burns' foresight and tireless efforts were instrumental in bringing Craig Field to Selma, and in the construction of the Nathan Bedford Forest housing project, the construction of Parrish High School and the building of a new \$300,000 municipal stadium; and

WHEREAS Mr. Burns not only has many structural and civic improvements to serve as a monument to his efforts, but his many thoughtful kindnesses, both large and small, will keep his memory alive for years to come in the hearts of his host of friends; and

WHEREAS Mr. Burns is survived by his wife, Mrs. Anna Anderson Burns; two daughters, Mrs. William H. Wise of Golden, Colorado and Mrs. Edward B. Crosland of Short Hills, New Jersey; three grandsons and a granddaughter; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Burns and extend our heartfelt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, H. J. R. 78, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Childs:

S. 122. To clarify the law of the State of Alabama, which has been confused and made indefinite by illegal actions of the members of the Supreme Court based on the so-called Fourteenth Amendment which was never ratified and is no part of the Constitution of the United States.

By Messrs. Skidmore and Lindsey:

S. 321. To amend Code of Alabama 1940, Title 7, Section 165, relating to court costs in actions for declaratory judgments, so as to provide further for the assessment of attorneys' fees in certain cases involving policies of casualty insurance.

By Mr. Turner:

S. 426. To amend further Code of Alabama 1940, Title 24, Section 18, relating to the offense of obtaining board by fraud or misrepresentation.

By Mr. Givhan:

S. 517. To rescind and revoke membership of the State of Alabama in the United Nations and the specialized agencies thereof, and for other purposes.

By Mr. Givhan:

S. 532. To provide penalties for carrying out orders and mandates issued by the United Nation Organization.

By Messrs. Hogan, Downing and Watkins:

H. 121. To amend Code of Alabama 1940, Title 7, Sections 727, 728, 729, 735, 737 and 739 for the purpose of regulating further the period in which real estate or any interest therein, which has been sold under the power of sale in a deed of trust or mortgage, may be redeemed.

By Mr. Smith (P):

H. 304. To amend Code of Alabama 1940, Title 14, Section 426, in relation to the penalty for trespass after warning.

By Mr. Lybrand:

H. 701. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn (with amendment):

S. 486. Proposing an amendment to the Constitution of Alabama to provide for the selection, tenure and retirement of justices of the Supreme Court, judges of the Court of Appeals, and judges of the Circuit Courts; and to provide that Amendment LXXXIII, proclaimed ratified November 20, 1950, and Amendment CX, proclaimed ratified December 20, 1955, relating to filling vacancy in office of judge of Circuit Court holding at Birmingham, shall not be affected by the proposed Amendment.

The above Bill was read a second time at length as required by the Constitution.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel and McDermott:

S. 523. To amend further Code of Alabama 1940, Title 2, Section 606, in relation to the size of bottles or other containers used for the sale of milk or cream.

By Mr. Smith (P):

H. 300. To control, eradicate and prevent the spread of hog cholera disease among swine by authorizing the State Board of Agriculture and Industries to adopt rules and regulations governing the manufacture, sale, distribution and use of all products used for immunization, treatment and protection of swine from such disease; and to prescribe a penalty for violations of this Act.

By Mr. Givhan:

S. 540. To authorize the Farmers Market Authority to allocate and pay out \$10,000 of appropriations made to it for capital outlay purposes to the use and benefit of Northeast Alabama Farmers Produce Market, Inc., of Fort Payne.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 551. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 556. To further regulate the salary of the State Budget Officer.

By Mr. Marr et al:

H. 122. To further amend Section 1, Act No. 817, H. 298, Regular Session 1961, as amended by HB 52, Regular Session 1965, as approved August 26, 1965.

By Mr. Hobbie et al:

H. 378. To amend Section 510 of Title 51, Code of Alabama 1940, Recompiled 1958, which levies a license on horse shows and dog and pony shows, etc.

By Mr. Edington et al:

H. 321. To create and establish the Alabama Council on the Arts, to provide for the appointment of its members, their qualifications, terms, duties, authority, and making an appropriation therefor.

By Mr. Oden:

S. 397. To provide for payment of license taxes and registration fees on private passenger automobiles on a quarterly declining basis.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pennington (with amendment):

H. 436. To make an appropriation to the Department of Public Safety from the General Fund.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hobbie et al:

H. 377. To amend Section 486 of Title 51, Code of Alabama 1940, Recompiled 1958, which levies a license on circuses.

Mr. Cooper, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 527. To amend Code of Alabama 1940, Title 22, Sections 20 and 37; further regulating the bureau of vital statistics in the state health department; designating the state registrar of vital statistics as the chief executive officer of such bureau; providing for the appointment, compensation, authority, duties and responsibilities of such registrar; providing for clerical and other assistants; providing for office facilities, budget and official certificate forms.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Springer and Cameron (with amendment):

H. 154. To propose and provide for the submission of an amendment to the Constitution of Alabama providing for the amendment of Article 6, Section 164 of the Constitution of Alabama relative to the Clerk of the Supreme Court.

The above Bill was read a second time at length as required by the Constitution.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen (Baldwin) et al:

H. 508. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$43,000,000 for the purpose of acquiring, providing, constructing, developing and equipping state parks and park facilities.

The above Bill was read a second time at length as required by the Constitution.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lemley (with notice and proof):

H. 464. Relating to Blount County, Alabama; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

By Mr. Radney (with notice and proof):

S. 549. To repeal Act No. 40, S. 12, First Special Session 1956 (Acts 1956, p. 68), entitled "An Act Relating to Macon County: To authorize and empower the county board of education of Macon County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws."

By Messrs. Higginbotham, Turnham and Brassell:

H. 381. To apply only in counties in the state having a population of not less than 49,500 nor more than 50,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Messrs. Pierce and Goodwyn (with notice and proof):

S. 550. Relating to Montgomery County; making further provisions regarding the use of that portion of the Proceeds from the State Gasoline Excise Tax that may be paid to Montgomery County pursuant to the provisions of Section 5(b) of Act No. 224 adopted at the special session of the Legislature of Alabama that convened on March 2, 1967; and providing for part of the said proceeds to be distributed, following their receipt by the county, to the City of Montgomery and any other municipal corporation or municipal corporations hereafter existing in the said county.

By Mr. O'Bannon (with notice and proof):

S. 555. Relating to the City of Florence, Alabama; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such city.

By Mr. Leonard (with notice and proof):

S. 546. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

By Mr. Leonard:

S. 545. To apply only in counties having populations of not less than 65,000 nor more than 95,000; providing clerks for the boards of equalization of all such counties whose compensation shall be payable from the county treasury.

By Mr. Leonard:

S. 544. To apply only in counties having populations of not less than 65,000 nor more than 95,000; providing clerks for the boards of registrars of all such counties whose compensation shall be payable from the county treasury.

By Mr. Leonard:

S. 543. To provide an expense allowance payable from the county treasury to the county court judges in counties which have a county court composed of two divisions and which have a population of not less than 65,000 nor more than 95,000.

By Mr. Giles (with notice and proof):

S. 554. To further regulate the liquor traffic in the municipality of Madison in Madison County, making further provisions for issuance of liquor licenses, and repealing conflicting laws.

By Mr. Giles:

S. 553. To apply only in counties having populations of not less than 170,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Mr. Carr, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stone:

S. 548. To amend Code of Alabama 1940, Title 12, Section 224, in relation to the authority of counties to acquire lands for parks and museums and for other purposes.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 450. To create a board of trustees to manage and control Florence State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Florence State College of all supplies, funds, books, documents, records and other property or effects of such college.

Mr. Pelham, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Meeks et al:

H. 139. To amend Act No. 390, H. B. 484, approved September 4, 1957, an act giving the circuit court in equity the power to divorce persons from the bonds of matrimony in favor of either party where there has been a final decree of divorce from bed and board or of separate maintenance (Acts 1957, v. 1, p. 532).

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore, Giles and McDermott:

S. 504. To amend Section 312 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to provide that the maturities of revenue bonds issued under subdivision 3 of Article 2 of Chapter 6 of the said code, as amended, shall comply with the applicable requirements of Section 255 of the said Title 37 and so as to eliminate any other requirements with respect to such maturities.

By Messrs. Skidmore, Giles and McDermott:

S. 505. To amend Section 255 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to clarify its provisions; so as to incorporate therein the provisions of Act No. 724, 1957 Regular Session, which relates to compliance with the said Section 255; and so as to provide that all revenue bonds issued pursuant to Chapter 6 of Title 37 of the Code of Alabama of 1940 and payable out of the revenues from the same system or systems may be treated as if constituting one issue for the purpose of compliance with the requirements of the said Section 255.

RESOLUTION

Mr. Engel offered the following Senate Joint Resolution, to-wit:

S. J. R. 79. WHEREAS on August 3, 1967, the Johnson Administration submitted to Congress a tax plan calling for a ten per cent surcharge on individual and corporate income taxes, claiming that a failure to raise taxes will result in a "spiral of ruinous inflation," "brutally higher interest rates," and a "deterioration of our balance of payments;" and

WHEREAS arguments in support of the surtax are characteristically lacking in sound reasoning and foundation in fact, many reputable tax authorities indicating that, aside from the prospect of a large budgetary deficit with obvious political consequences, administration predictions of inflation and an unfavorable balance of payments are without substance; and

WHEREAS the Legislature of Alabama is convinced that such a tax, especially in view of the recent increase in Social Security taxes, would be an unbearable and unnecessary burden upon the taxpayers of this nation; and

WHEREAS we feel President Johnson should exercise greater budgetary responsibility by a serious reexamination of domestic spending programs and a sharp reduction or elimination of foreign aid, rather than a tax increase, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama respectfully urges the members of Congress to withhold approval of any proposal for an income tax increase, and request that the members of Congress from this state exert all their energies and influence to secure the defeat of such a measure.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the President of the United State Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

On motion of Mr. Engel, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 324. To declare the public policy of the State of Alabama in regard to encouraging the education of all the school children of the

state; to create as a body politic and corporate the Alabama Financial Assistance Commission; to provide for the membership of said Commission; to define the duties, powers and functions of said Commission; to authorize said Commission to make and pay grants of financial assistance from the funds of said Commission for the education of the school children of the state in private non-sectarian elementary and secondary schools in the state; to prescribe standards of eligibility for such financial assistance; to provide a procedure for making application for such financial assistance and for the approval or disapproval of same; to provide for judicial review of the actions of the Commission in the event of disapproval of an application for such financial assistance; to provide that any person who shall knowingly swear or affirm falsely to any matter or thing required by the terms of this Act shall be guilty of false swearing and to provide penalties therefor; to provide that any person accepting any payment authorized by this Act with knowledge that the child for whose benefit the payment is received was not actually a bona fide student at a private non-sectarian elementary or secondary school during the period for which payment is received, shall be guilty of a misdemeanor and prescribing penalties therefor; to create and establish in the state treasury the Alabama Financial Assistance Fund; and to repeal all laws or parts of laws in conflict with this Act.

as amended, which said amendments are set out at length in the Journal of the Senate for the Twenty-Eighth Legislative Day. The question was on the motion of Mr. Bailes to postpone further consideration of the Bill until the Thirtieth Legislative Day. On motion of Mr. Cooper, said motion was laid on the table.

Yeas 17; Nays 6.

Yeas:

Messrs.:	Engel	Jackson	McDermott	
Branyon	Gilmore	Leonard	Oden	
Childs	Givhan	Lolley	Pelham	
Clark	Goodwyn	McCarley	Turner	
Cooper	Hawkins			—17

Nays:

Messrs.:	Dominick	Pierce	Torbert	
Bailes	Morrow	Skidmore		—6

And said Bill, S. B. 324, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 6.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Branyon	Folsom	Leonard	Pelham	
Carr	Giles	Lolley	Stone	
Childs	Givhan	McCarley	Turner	
Clark	Hawkins	Morrow	Vacca	
Cooper				—20

Nays:

Messrs.:	Dominick	Pierce	Torbert	
Bailes	Goodwyn	Skidmore		—6

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 76. Creating a special legislative interim committee to be known as the Judicial Reform Committee.

On motion of Mr. Goodwyn, said Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 112. To create a Commission on Physical Fitness; to prescribe the powers, duties and authority of the commission and to provide for the selection, term, qualifications, powers, duties, authority and compensation of the members thereof; to provide for the appointment, duties, and compensation of an executive secretary and other employees of the commission.

Also:

S. 218. To authorize the governing body of each county in this state which, during its then next preceding fiscal year, collected as much as or more than \$40,000 from the special tax at a rate not exceeding one-fourth of one per centum levied in the county under the provisions of Section 215 of the Constitution of Alabama for payment of any debt or liability created for the erection of necessary public buildings, bridges or roads, to sell and issue interest bearing warrants payable solely out of and in anticipation of the receipt by such county of its share of the gasoline excise taxes levied by Section 647 of the Code of Alabama of 1940, as amended, and by Act No. 674 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, and required by law to be distributed to that county; to authorize each such county to pledge for payment of the principal of and interest on the warrants so issued so much as may be necessary for that purpose of the receipts by it from the said gasoline excise taxes and to specify the priority of such pledges; to provide the purposes for which the proceeds from the sale of the said warrants may be used; to authorize each such county to sell and issue refunding warrants for the purpose of refunding the principal of outstanding warrants of the county together with the interest accrued thereon and any premium necessary to retire the warrants so refunded, whether such outstanding warrants were issued under this act or under any other law in effect at the time of the issuance thereof; to prohibit any county while subject to this act from issuing warrants payable from any part of the proceeds from the said gasoline excise taxes except under the provisions of this act; to repeal Act No. 728 adopted at the 1953 Regular Session of the Legislature of Alabama; and to repeal all general, special and local laws to the extent of any conflict with the provisions hereof.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 80. **RESOLVED BY THE SENATE** That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

Bill No.	Page No.	Author
H. B. 49	89	Mr. Higginbotham
S. B. 363	13	Mr. Clark
H. B. 116	90	Mr. Bowers
S. B. 182	12	Mr. Turner
S. B. 274	88	Mr. Nabors
S. B. 185	12	Mr. Turner
S. B. 495	62	Mr. Oden
H. B. 220	8	Mr. Merrill
H. B. 503	94	Mr. Bassett
S. B. 421	16	Mr. Lindsey
S. B. 453	55	Mr. Pierce
S. B. 441	20	Mr. Nabors
S. B. 393	14	Mr. Goodwyn
S. B. 370	47	Mr. Goodwyn
H. B. 564	111	Mr. McDonald
S. B. 56	13	Mr. Clark
S. B. 406	16	Mr. Giles
S. B. 407	16	Mr. Giles
S. B. 492	106	Mr. Clark
S. B. 303	60	Mr. Turner
S. B. 222	100	Mr. Goodwyn
S. B. 153	61	Mr. Giles
H. B. 209	61	Mr. Downing
S. B. 322	10	Mr. Dominick

S. B. 126	17	Mr. Engel
S. B. 301	33	Mr. Engel
S. B. 381	58	Mr. Turner
H. B. 238	91	Mr. House
H. B. 396	56	Mr. Mathews
S. B. 509	76	Mr. Clark
H. B. 298	17	Mr. Smith (P)
S. B. 373	31	Mr. Carr
S. B. 374	31	Mr. Carr
S. B. 461	31	Mr. Carr
H. B. 297	60	Mr. Smith (P)

On motion of Mr. Clark, said Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 49. To provide Supernumerary Tax Collectors, Tax Assessors, License Commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama; describing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and providing for the payment of their salaries.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 49

Strike out Section 7 of the bill entirely and insert in lieu thereof the following:

Section 7. This Act shall take effect October 1, 1967.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Harris	Nabors	Turner
Clark	Hawkins	Pelham	Vacca
Cooper	Jackson		

—29

Nays:

—0

And said Bill, H. B. 49, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 3.

Yeas:

Messrs.:	Folsom	Leonard	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	Nabors	Stone
Childs	Goodwyn	O'Bannon	Torbert
Clark	Harris	Oden	Turner
Cooper	Hawkins	Pelham	Vacca
Dominick	Jackson		

—29

Nays: Messrs: Albea, Engel, McDermott

—3

The Bill:

S. 363. To amend further, Sections 9, 10, 13, 16, 18, 20 and to repeal Section 19, and to add Section 20(1), all of Chapter 2 of Title 46, Code of Alabama 1940, which relates to the registration of architects.

was taken up.

Mr. Clark offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 363

A BILL TO BE ENTITLED AN ACT

To amend further Sections 9, 10, 13, 16, and 20 and to repeal Section 19 of Chapter 2 of Title 46, Code of Alabama 1940, which relate to the registration of architects.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Chapter 2 of Title 46, Code of Alabama 1940, as amended by Act No. 226, Regular Session 1943, approved June 22, 1943, is further amended to read as follows:

"9. Nothing contained in this chapter shall prevent draftsmen, students, clerks-of-work, superintendents, and other employees of those lawfully practicing as registered architects under the provisions of this chapter, from acting under the instructions, control, or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alterations of buildings or any appurtenance thereto, or to prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such buildings, enlargement or alteration work were prepared. No person shall be required to register as an architect in order to make plans and specifications for or supervise the erection, enlargement or alteration of any building upon any farm for the use of any farmer, irrespective of the cost of such building, or any single family residence building, or any utility works, structures or buildings (provided that the person performing such architectural works is employed by an electric, gas or telephone public utility regulated pursuant to the laws of Alabama or by a corporation affiliated with such utility), or of any other type building costing less than \$20,000.00 (except schools, auditoriums, or other buildings intended for the mass assemblage of people). Nor shall anything in this chapter be held to prevent registered professional engineers or their employees or subordinates under their responsible supervising control from performing architectural services which are purely incidental to their engineering practice, provided, how-

ever, that registered architects or their employees or subordinates under their responsible supervising control may perform engineering services which are purely incidental to their architectural practice. However, no professional engineer shall practice architecture or use the designation 'architect' or any term derived therefrom unless registered under this chapter, and no architect shall practice professional engineering or use the term 'engineer' or any term derived therefrom unless he is also qualified and registered as such engineer. Otherwise any person who shall be engaged in the planning or design for the erection, enlargement or alteration of any building or buildings for others, or furnishing architectural observation and inspection of the construction thereof shall be deemed to be practicing architecture and be required to register under this chapter, and to secure all annual renewals of such registration as a condition precedent to his so doing. The term 'building' in this chapter shall be understood to be a structure consisting of foundation, walls and roof with or without the other parts."

Section 2. Section 10 of Chapter 2 of Title 46, Code of Alabama 1940, is amended to read as follows:

"10. To carry out the provisions of this chapter there shall be a state board for registration of architects hereinafter referred to as the board, consisting of six members, each of whom shall be appointed by the governor from a list of three persons selected as hereinafter provided. All appointments as members of the board shall be architects registered and licensed under the provisions of this chapter and said board shall be appointed from the following districts; one from the northern district, two from the north central district, two from the central district, and one from the southern district. The northern district shall be comprised of the counties of Colbert, Cullman, DeKalb, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan and Winston; the north central district shall be comprised of the counties of Bibb, Blount, Calhoun, Cherokee, Clay, Cleburne, Etowah, Fayette, Greene, Hale, Jefferson, Lamar, Pickens, Randolph, Shelby, St. Clair, Sumter, Talladega, Tuscaloosa and Walker; the central district shall be comprised of the counties of Autauga, Barbour, Bullock, Butler, Chambers, Chilton, Coffee, Coosa, Covington, Crenshaw, Dale, Dallas, Elmore, Geneva, Henry, Houston, Lee, Lowndes, Macon, Marengo, Montgomery, Perry, Pike, Russell, Tallapoosa, and Wilcox; and the southern district shall be comprised of the counties of Baldwin, Choctaw, Clark, Conecuh, Escambia, Mobile, Monroe, and Washington. Thirty days prior to the expiration of a board member's term, or for filling a vacancy otherwise occurring, there shall be a nominating committee of six members selected by secret ballot from the district entitled to fill the vacancy, at a meeting in the district called by the secretary of the board who shall give notice in writing of the time and place of the called meeting to each architect in the district at least thirty days in advance to the date set for said meeting. Each registered architect in the district shall have the right to attend the meeting and vote on the members to be placed on the committee. After the selection of the committee from the district where the vacancy occurs, there shall be a meeting of the committee with the board at the same place within five days to select by secret ballot the names of three persons which shall be sent to the governor by the secretary of the board. The governor shall thereupon appoint one of the persons to the board. The term of office of the members of the board shall be four years and until their successors shall have been duly appointed and qualified. A member must reside and have his principle office in the district from which appointed and his place will become vacant if he should remove either his residence or principle office from that district. All members of the board from the present northern, central and southern districts serving at the time of the enactment of this amendment and otherwise qualified under the existing statute shall continue to serve until their respective terms expire."

Section 3. Section 13 of Chapter 2 of Title 46, Code of Alabama 1940, as amended by Act No. 36, Special Session 1959, approved February 19, 1959, is further amended to read as follows:

"13. The secretary of the board shall receive and account for all monies derived from the operation of this chapter, and all monies received by the board under the provisions of this chapter shall be by the secretary certified into the treasury to the credit of the fund of the board for registration of architects, who shall keep such monies in a separate fund to be known as the 'fund of the board for registration of architects,' which shall be drawn against only for the purpose of this chapter as herein provided. The fiscal year used by the board shall commence on the first day of October and end on the 30th day of September. Each member of the board shall receive twenty-five dollars per day for attending sessions of the board or its committee, and for the time actually spent in necessary travel, in attending meetings of said board or its committee, and in addition shall be reimbursed for the necessary traveling and clerical expenses incurred in carrying out the provisions of this chapter. All expenses certified by the board as properly and necessarily incurred in the discharge of its duties, including authorized compensations, additional legal services, experts, clerks, and office rent and supplies, shall be paid out of said fund on the warrant of the comptroller of the state, issued on requisitions signed by the chairman and secretary of the board provided, however, that at no time in any one fiscal year shall the total amount of warrants issued exceed the total amount of funds accumulated under this chapter. The secretary of the board shall give a surety bond in a surety company qualified to do business in Alabama in the sum of ten thousand dollars payable to the State of Alabama and conditioned for the faithful performance of his duties under this chapter. The premium on said bond shall be paid out of monies in the treasury to the credit of the 'fund of the board for registration of architects'. Provided the board may from year to year make donations from its surplus funds to any state educational institution for assistance in promoting the education and research programs in architecture of such state institutions."

Section 4. Section 16 of Chapter 2 of Title 46, Code of Alabama 1940, is amended to read as follows:

"16. The board shall have the power to suspend for a definite period, or to revoke the certificate of registration of an architect registered hereunder who is found guilty of any fraud or deceit in obtaining a certificate of registration, or of gross negligence, incompetency, or misconduct in the practice of architecture as determined by the board at a hearing; or who has been convicted in a court of competent jurisdiction of a felony or misdemeanor involving moral turpitude; notice of the nature of the charges which have been placed against him and the time and place of said hearing, must be served upon the accused by registered mail, with a returned receipt requested, and addressed to his last known place of business, or residence, not less than ten days before the date fixed for such hearing. In all cases of suspension, or revocation of a certificate of registration as herein provided for, the accused may appeal to the circuit court of Montgomery County, Alabama, in equity. Either party, the accused, or the board, have the right to appeal from the final decree of said court as in such cases by law provided."

Section 5. Section 19 of Chapter 2 of Title 46, Code of Alabama 1940, as amended by the Act No. 226, Regular Session 1943, is hereby repealed.

Section 6. Section 20 of Chapter 2 of Title 46, Code of Alabama 1940, is amended to read as follows:

"20. It shall be lawful for a corporation to practice architecture in this state provided that all officers and stockholders of said corporation be architects registered under the laws of Alabama. Professional engineers registered under the laws of Alabama may be included as officers, or stockholders of said corporation but practice of said corporation shall be under the direct control of an officer who is a duly registered architect in this state and whose name shall appear on all documents of said corporation in its practice of architecture. The name of such corporation shall be limited to the names of the officers or stockholders including at least one architect and upon the death or resignation of any named partner, the name of the corporation shall be renamed within two years in accordance with the provisions of this act. Nothing herein shall apply to a corporation legally practicing architecture at the time of the passage and approval of this act. It shall be lawful for a partnership composed of architects registered under the laws of this state to practice architecture. Professional engineers duly registered in this state may be included in the partnership but a partnership must include at least one architect. The name of such partnerships shall be limited to the names of the partners including at least one architect and upon the death or resignation of a member thereof, said member's name shall be removed from the name of the partnership within two years."

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Albea	Folsom	Leonard	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Cooper	Hawkins	Oden	Vacca
Dominick			

—32

Nays:

—0

And said Bill, S. B. 363, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 32; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Albea	Folsom	Leonard	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Cooper	Hawkins	Oden	Vacca
Dominick			

—32

Nays:

—0

The Bill:

H. 116. To provide for the renovation, remodeling, and equipment of certain space in the Capitol Building for the use of the members of the House of Representatives and House committees, making an appropriation for such purpose.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 116

Amend H. B. 116 by striking therefrom the whole of Section 1 and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated the sum of \$50,000.00, or so much thereof as may be necessary, from any funds in the state treasury not otherwise appropriated, to the use of the Clerk of the House, for expenditures necessary to renovate, remodel, furnish, equip, and make available to the members of the House of Representatives, and the committees of the House, offices, conference rooms, and other like facilities, on the second floor in the East wing of the Capitol off the rotunda between the chambers of the two houses. The Clerk of the House may engage such workers and provide such materials, equipment and supplies as may be necessary to suitably furnish the quarters provided for herein."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	O'Bannon	Torbert
Childs	Goodwyn	Oden	Turner
Cooper	Hawkins	Pelham	Vacca
Dominick			

—28

Nays:

—0

And said Bill, H. B. 116, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pierce
Albea	Giles	McCarley	Radney
Bailes	Gilmore	McDermott	Skidmore
Branyon	Givhan	Nabors	Stone
Childs	Goodwyn	O'Bannon	Torbert
Cooper	Harris	Oden	Turner
Dominick	Hawkins	Pelham	Vacca
Engel	Jackson		

—29

Nays:

—0

The Bill:

S. 182. To provide that insureds or other beneficiaries of insurance policies, subscribers to or other beneficiaries of medical hospital or hospital and medical service plans and contracts, shall, when visual services are offered, have freedom of choice of practitioner in the performance of services which are within the lawful scope of the practice of optometry.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nay 1.

Yeas:

Messrs.:	Giles	McDermott	Radney	
Albea	Gilmore	Morrow	Skidmore	
Branyon	Givhan	Nabors	Stone	
Cooper	Goodwyn	O'Bannon	Torbert	
Dominick	Jackson	Oden	Turner	
Engel	McCarley	Pelham	Vacca	
Folsom				—24

Nay: Mr. Bailes

—1

The Bill:

S. 274. To amend further Code of Alabama 1940, Title 22, Section 199, which relates to the state subsidy for the care of indigent patients in tuberculosis sanatoria.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 274

A BILL TO BE ENTITLED AN ACT

To amend further Code of Alabama 1940, Title 22, Section 199, which relates to the state subsidy for the care of indigent patients in tuberculosis sanatoria.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 22, Section 199, as amended, is further amended to read as follows:

Section 199. Any sanatorium, or hospital now or hereafter established hereunder, desiring to share in the benefits of this article, must make provisions for the care of Alabama citizens who are not residents of such county or counties and must place at the disposal of the state committee of public health for the use of such Alabama citizens aforesaid fifteen per cent of the total bed capacity of such sanatoria or hospitals, it being the intent hereof that the county from which a patient in indigent circumstances comes shall pay the difference remaining for the cost of such patient after the state subsidy has been deducted; should a patient from another county not be in indigent circumstances, said difference in cost after deducting the state subsidy shall be fixed by the board of trustees of the sanatorium receiving such patients. On the first day of each month the board of trustees, or the superintendent of the sanatorium, whether organized and established under the provisions of this article or any other act or acts permitting counties to erect and maintain sanatoria for

the treatment of tuberculosis, shall report to the state committee of public health the number of patients treated during the preceding month with such detailed information as said state committee of public health may require. Such report shall show specifically the number of patients treated with the number of days and the aggregate number of weeks of such treatment and the actual per diem cost per patient cared for in the institution and shall be verified by the superintendent or by the president of the board of trustees. If accepted and approved by the state health officer, it shall be the duty of the latter official to certify to the department of finance the number of licensed beds in the sanatorium in question which are maintained in conformity with the master hospital plan, whereupon the comptroller, with the approval of the governor, shall draw his warrant on the state treasurer in favor of the county treasurer having the funds of the sanatorium in his custody for such an amount as will constitute compensation for such sanatorium on the basis of a sum not to exceed \$7.25 per day per licensed bed, provided the contribution by the county shall be equal to the cost per day per patient cared for in excess of \$7.25 per patient. In no instance shall the state's contribution exceed \$7.25 per diem for each licensed bed maintained by the sanatorium. The amount of expenditure provided herein shall be limited to the amount provided therefor by the legislature in the general appropriation act and shall be budgeted, allotted and expended pursuant to Article 3 of Chapter 4, Title 55, Code of Alabama 1940. In the event the total amount appropriated from the state treasury is insufficient to meet in full the financial obligations enumerated above on the state's part, the state health officer is authorized to pro rate among the counties qualified to participate in the provisions of this article, the amounts available so that each will receive its proportionate share. Provided, that such proration shall first apply to the cost in excess of \$7.25 per patient day, the intent of this provision being to assure each institution a full payment up to patient cost of \$7.25 per day if possible. Nothing in this article shall be construed to mean that any sanatorium established hereunder may not charge a person who is not in indigent circumstances a reasonable sum per week for care and treatment in such institution, which sum shall be agreed upon by the board of trustees. For the purpose of operating clinics at various points in the state for the treatment of cases of tuberculosis, an expenditure of not more than ten thousand dollars (\$10,000.00) annually, and for the further purpose of providing other treatment of tuberculosis, including drugs, such sums as may be available after the payment of the subsidy herein are authorized from any appropriation made from the state treasury to the state department of health for the treatment of tuberculosis.

Section 2. This Act shall become effective October 1, 1967.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Albea	Givhan	McDermott	Skidmore	
Bailes	Goodwyn	Nabors	Stone	
Branyon	Harris	O'Bannon	Torbert	
Childs	Hawkins	Oden	Turner	
Folsom	Jackson	Pelham	Vacca	
Giles	Lolley	Pierce		—26

Nays: —0

And said Bill, S. B. 274, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Pierce
Albea	Giles	McDermott	Radney
Bailes	Gilmore	Morrow	Skidmore
Branyon	Givhan	Nabors	Stone
Childs	Harris	O'Bannon	Torbert
Cooper	Jackson	Oden	Turner
Engel	Lolley	Pelham	Vacca

—27

Nays:

—0

The Bill:

S. 185. Relating to the administration of public assistance programs for the visually handicapped, prohibiting discrimination, and providing a remedy for violations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nay 1.

Yeas:

Messrs.:	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Skidmore
Cooper	Goodwyn	Morrow	Stone
Engel	Harris	Nabors	Torbert
Folsom	Jackson	O'Bannon	Turner
Giles	Lolley	Pierce	Vacca

—23

Nay: Mr. Bailes

—1

The Bill:

S. 495. To amend Section 2 of Act No. 175 adopted at the Regular Session of 1951 of the Legislature of Alabama so as to permit any corporation at any time existing under the said Act No. 175 or under Sections 394 to 402, inclusive, of the Alabama Code of 1940, as amended, to amend its certificate of incorporation under the provisions of the said Act No. 175 so as to include in the said certificate of incorporation any provision that may lawfully be included in an original certificate of incorporation filed under the said Act No. 175.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden
Albea	Engel	Lolley	Radney
Bailes	Folsom	McCarley	Skidmore
Branyon	Giles	McDermott	Stone
Carr	Gilmore	Morrow	Torbert
Childs	Givhan	Nabors	Turner
Clark	Goodwyn	O'Bannon	Vacca
Cooper	Harris		

—29

Nays:

—0

The Bill:

H. 220. To create a board of trustees to manage and control Jacksonville State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Jacksonville State University of all supplies, funds, books, documents, records and other property or effects of such university.

was taken up.

Mr. Radney moved that further consideration of the Bill, H. B. 220, be postponed until the Thirty-Second Legislative Day.

On motion of Mr. Albea, the motion to postpone was laid on the table.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Giles	McCarley	Pelham
Albea	Gilmore	McDermott	Pierce
Carr	Givhan	Morrow	Skidmore
Clark	Goodwyn	Nabors	Stone
Cooper	Hawkins	O'Bannon	Turner
Engel	Lolley	Oden	Vacca

—23

Nays:

Messrs.:	Childs	Folsom	Radney
Branyon	Dominick	Harris	Torbert

—7

And said Bill, H. B. 220, was then read a third time at length and passed.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Clark	Goodwyn	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—27

Nays:

Messrs.:	Dominick	Morrow	Torbert
Childs	Harris	Radney	

—6

The Bill:

H. 503. To create a board of trustees to manage and control Troy State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision,

management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Troy State College of all supplies, funds, books, documents, records and other property or effects of such college.

was taken up.

Mr. Radney offered the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 503

Amend House Bill 503 by adding Section 17:

This bill shall become effective only after Troy State College has been designated a University by the Alabama Legislature.

On motion of Mr. Lolley, said amendment was laid on the table.

Mr. Nabors offered the following amendment to the Bill, H. B. 503, to-wit:

AMENDMENT TO H. B. 503

Amend H. B. 503 by deleting therefrom Section 13, and renumbering Sections 14, 15 and 16 to 13, 14 and 15 respectively.

On motion of Mr. Lolley, said amendment was laid on the table.

And said Bill, H. B. 503, was then read a third time at length and passed.

Yeas 24; Nays 5.

Yeas:

Messrs.:	Giles	Leonard	O'Bannon
Albea	Gilmore	Lolley	Pelham
Childs	Givhan	McCarley	Pierce
Clark	Goodwyn	McDermott	Skidmore
Cooper	Hawkins	Morrow	Stone
Engel	Jackson	Nabors	Turner
Folsom			

—24

Nays:

Messrs.:	Dominick	Radney	Torbert
Bailes	Harris		

—5

RESOLUTION

Mr. Jackson offered the following Senate Joint Resolution, to-wit:

S. J. R. 81. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the overpass by which U. S. Highway 129 crosses the railroad tracks at Flomaton in Escambia County shall be designated and named "The Nelson-Wallace Railroad Overpass" in honor of Mr. Herman Nelson, currently Director of the State Highway Department and a career employee of such department and of Governor Lurleen B. Wallace.

BE IT FURTHER RESOLVED, That the State Highway Department shall cause appropriate markers or signs to be erected so designating this bridge as a tribute to Herman Nelson, State Highway Director, and Lurleen B. Wallace, Governor of Alabama. Such marker shall also have inscribed thereon the names of the currently serving State Senator and

members of the House of Representatives from Escambia County, along with their respective offices.

On motion of Mr. Jackson, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 541. To create a board of trustees to manage and control Livingston State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Livingston State College of all supplies, funds, books, documents, records and other property or effects of such college.

Was read a third time at length and passed.

Yeas 22; Nays 5.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lolley	Pierce	
Carr	Giles	McCarley	Stone	
Childs	Gilmore	McDermott	Turner	
Clark	Givhan	Nabors	Vacca	
Cooper	Jackson	O'Bannon		—22

Nays:

Messrs.:	Dominick	Radney	Torbert	
Bailes	Harris			—5

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Pelham, further consideration of the Bill, S. B. 421, was indefinitely postponed by the Senate.

On motion of Mr. Lolley, further consideration of the Bill, S. B. 361, was indefinitely postponed by the Senate.

On motion of Mr. Clark, further consideration of the Bills, S. B.'s 204 and 206, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 453. Making further provisions respecting the issuance of driver's licenses, providing for development, installation, and use of a system of color photographic driver license forms.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 453

AMEND Senate Bill 453 by striking therefrom the last sentence of Section 1 and inserting in lieu thereof the following:

"For the purpose of defraying the cost of issuing motor vehicle operators' and chauffeurs' licenses with a colored photograph of the licensee thereon, the Department of Public Safety shall collect, in addition to the regular fee therefor, an additional fee of one dollar for each such license issued, which fee shall be deposited in the State treasury, to the credit of the General Fund".

Mr. McCarley moved that said amendment be laid on the table, which motion was lost.

Yeas 5; Nays 26.

Yeas:

Messrs.:	Engel	Morrow	Pelham	
Childs	McCarley			—5

Nays:

Messrs.:	Folsom	Leonard	Radney	
Albea	Giles	Lolley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Carr	Givhan	Nabors	Torbert	
Clark	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick	Jackson	Pierce		—26

And said amendment was then adopted.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Albea	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Clark	Hawkins	O'Bannon	Torbert	
Cooper	Jackson	Oden	Turner	
Dominick	Leonard	Pelham	Vacca	
				—27

Nays: Messrs.: Childs, Folsom, Morrow —3

The Standing Committee on Finance and Taxation then reported the following amendment to the Bill, S. B. 453, as amended, to-wit:

AMENDMENT TO SENATE BILL 453

AMEND Senate Bill 453 by adding to Section 1 in line 7 thereof after the word "film", the following words:

"or duplicate picture"

Which was adopted.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden	Vacca	
				—31

Nay: Mr. Folsom —1

Mr. McCarley offered the following amendment to the Bill, S. B. 453, as amended, to-wit:

AMENDMENT TO S. B. 453

In Section 1, strike out the period closing the first sentence and insert the following: ; provided, that the driver license issued to anyone under 21 years of age shall be colored red.

On motion of Mr. Pierce, said amendment was laid on the table.

Mr. McDermott moved that further consideration of the Bill, S. B. 453, be postponed until the Thirty-First Legislative Day. On motion of Mr. Pierce, the motion to postpone was laid on the table.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Engel	McCarley	Skidmore	
Albea	Giles	Nabors	Torbert	
Carr	Goodwyn	O'Bannon	Turner	
Clark	Harris	Pierce	Vacca	
Dominick	Jackson	Radney		—18

Nays:

Messrs.:	Cooper	Hawkins	Morrow	
Bailes	Folsom	Leonard	Oden	
Branyon	Gilmore	Lolley	Pelham	
Childs	Givhan	McDermott		—14

Mr. McDermott moved that further consideration of the Bill, S. B. 453, as amended, be postponed for three Legislative days. Mr. Pierce moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Engel	Nabors	Torbert	
Albea	Goodwyn	O'Bannon	Turner	
Carr	Harris	Pierce	Vacca	
Clark	McCarley	Skidmore		—14

Nays:

Messrs.:	Dominick	Hawkins	Morrow	
Bailes	Folsom	Jackson	Oden	
Branyon	Giles	Leonard	Pelham	
Childs	Gilmore	Lolley	Radney	
Cooper	Givhan	McDermott	Stone	—19

The question recurred on the motion of Mr. McDermott to postpone further consideration of the Bill, S. B. 453, for three Legislative days. Mr. Pierce offered a substitute motion that further consideration of the Bill be postponed one Legislative day; on motion of Mr. Cooper, said motion was laid on the table.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Dominick	Hawkins	Morrow
Bailes	Folsom	Jackson	Oden
Branyon	Giles	Leonard	Radney
Childs	Gilmore	Lolley	Stone
Cooper	Givhan	McDermott	

—18

Nays:

Messrs.:	Engel	Nabors	Skidmore
Albea	Goodwyn	O'Bannon	Torbert
Carr	Harris	Pelham	Turner
Clark	McCarley	Pierce	Vacca

—15

The question again recurred on the motion of Mr. McDermott, which was adopted, and further consideration of the Bill, S. B. 453, as amended, was postponed three Legislative days.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Dominick	Hawkins	Morrow
Bailes	Folsom	Jackson	Oden
Branyon	Giles	Leonard	Radney
Childs	Gilmore	Lolley	Stone
Cooper	Givhan	McDermott	Torbert

—19

Nays:

Messrs.:	Engel	Nabors	Skidmore
Albea	Goodwyn	O'Bannon	Turner
Carr	Harris	Pelham	Vacca
Clark	McCarley	Pierce	

—14

The Bill:

S. 441. To set up requirements for forming a new political party. was taken up.

Mr. Nabors offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 441

Amend S. B. 441 by deleting the word "should" in lines 4 and 6 of Section 1 and inserting the word "must" in lieu thereof; and

further amend line 8 of Section 1 by striking the words "including names of officers elected," and inserting in lieu thereof the words "including names and addresses of officers elected,"

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Albea	Folsom	Jackson	Pelham
Bailes	Gilmore	Leonard	Radney
Branyon	Givhan	Lolley	Skidmore
Carr	Goodwyn	McDermott	Torbert
Cooper	Harris	Morrow	

—22

Nays:

—0

And said Bill, S. B. 441, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Pelham
Albea	Dominick	Leonard	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Vacca
Clark			

—24

Nays:

—0

RESOLUTION

Mr. O'Bannon offered the following Senate Resolution, to-wit:

S. R. 82. WHEREAS there will be twenty-six English exchange students from Coventry Cathedral and Liverpool Cathedral in Montgomery on Friday, August 11th of this week; and

WHEREAS we are delighted to have this fine group of representative young people between the ages of seventeen and twenty-five come to our country, and we heartily endorse the program that makes possible a deeper understanding and appreciation of ideas and customs of the two nations in the world which have most in common; now therefore

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That we most cordially welcome these English exchange students to the State of Alabama and to our Capitol in Montgomery and extend to them our best wishes for a most enjoyable visit.

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution was adopted by the Senate.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Cooper, further consideration of the Bill, S. B. 415, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 370. To provide for the compensation of attorneys under the Merit System.

was taken up.

Mr. Goodwyn offered the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL NO. 370

Amend Senate Bill No. 370 by striking therefrom the figures "\$16,800.00" wherever the same appears therein, and substitute in lieu thereof the figures "\$15,000.00"

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Pelham
Albea	Folsom	Jackson	Pierce
Bailes	Giles	Leonard	Radney
Branyon	Gilmore	Lolley	Skidmore
Carr	Givhan	McDermott	Torbert
Clark	Goodwyn	Morrow	Vacca
Cooper	Harris	O'Bannon	

—26

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Albea	Folsom	Leonard	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Givhan	McDermott	Skidmore
Carr	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Vacca
Cooper			

—28

Nays:

—0

The Bill:

S. 393. To prohibit the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks in and into the State of Alabama; to declare certain fireworks and sparklers illegal and contraband within the State of Alabama and to provide for their confiscation; to regulate the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks and sparklers in and into the State of Alabama and to prescribe permit procedures, permits and fees for the same; to regulate the periods of permitted retail sale and use in the State of Alabama of certain fireworks; to prescribe penalties for any violation of this act; and to repeal Act No. 391, Acts of Alabama, Regular Session 1955, approved September 9, 1955.

was taken up.

Mr. Goodwyn offered the following amendment to the Bill, to-wit:

AMEND S. B. 393

Amend S. B. 393 by striking Section 23 in its entirety and inserting in lieu thereof the following:

"Section 23. All permit fees or other funds received or collected by the Alabama State Fire Marshal under the provisions of this Act shall be without delay deposited in the State Treasury. The Legislature of Alabama shall appropriate such funds for the enforcement of this Act and educating the general public, particularly children, in the use and handling of fire works and for fire prevention work."

Which was adopted.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Gilmore	Lolley	Pierce	
Bailes	Givhan	McDermott	Radney	
Branyon	Goodwyn	Morrow	Skidmore	
Carr	Harris	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Vacca	
Clark	Jackson			—25

Nay: Mr. Dominick —1

Mr. Dominick moved that the Bill, S. B. 393, as amended, be re-referred to the Standing Committee on Judiciary. On motion of Mr. Goodwyn, the motion to re-refer was laid on the table.

Yeas 16; Nays 12.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Giles	McDermott	Pierce	
Branyon	Goodwyn	O'Bannon	Skidmore	
Carr	Jackson	Oden	Torbert	
Clark				—16

Nays:

Messrs.:	Dominick	Harris	Morrow	
Bailes	Folsom	Hawkins	Radney	
Childs	Gilmore	Lolley	Vacca	
Cooper				—12

MOTION TO ADJOURN LOST

At 7:30 P. M., Mr. Radney moved that the Senate do now adjourn until tomorrow, Thursday, August 10, 1967 at 2 o'clock P. M., which motion was lost.

Yeas 2; Nays 28.

Yeas: Messrs.: Oden, Radney —2

Nays:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Engel	Jackson	Pierce	
Bailes	Folsom	Leonard	Skidmore	
Branyon	Giles	Lolley	Stone	
Carr	Gilmore	McDermott	Torbert	
Childs	Givhan	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper				—28

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF S. B. 393

The Senate then proceeded to further consideration of the Bill, S. B. 393, as amended.

Mr. Cooper then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO S. B. 393

Amend S. B. 393 by adding to Section 23 the following:

Section 23 A. This Act shall not apply to the following counties: Clark, Conecuh, Monroe, Wilcox, Jefferson, Dallas, Walker, Cullman, Tallapoosa, Elmore, Macon, Bibb and Perry, Fayette, Pickens, Lamar, Greene, Hale, Tuscaloosa, Coffee, Pike, Bullock, Geneva, Marshall, Blount, St. Clair, Talladega, Clay, Cleburne.

Which was adopted.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Dominick	Hawkins	Pierce	
Albea	Folsom	Jackson	Radney	
Bailes	Giles	Leonard	Skidmore	
Branyon	Gilmore	Lolley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper				—28

Nay: Mr. Nabors —1

Mr. Dominick moved that further consideration of the Bill, S. B. 393, be postponed for two Legislative days. On motion of Mr. Goodwyn, the motion to postpone was laid on the table.

Yeas 19; Nays 13.

Yeas:

Messrs.:	Engel	McDermott	Pierce	
Albea	Goodwyn	Nabors	Skidmore	
Branyon	Harris	O'Bannon	Stone	
Carr	Leonard	Oden	Torbert	
Clark	Lolley	Pelham	Turner	
				—19

Nays:

Messrs.:	Dominick	Givhan	Morrow	
Bailes	Folsom	Hawkins	Radney	
Childs	Giles	Jackson	Vacca	
Cooper	Gilmore			—13

Mr. Dominick then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO S. B. 393 AS AMENDED

Amend the above numbered bill in words and figures as follows:

Strike subsection (9) of Section 1 of said bill and renumber the remaining subsection.

Also strike Sections 9, 10, 11 and 12 of said bill and renumber the remaining sections.

On motion of Mr. Torbert, further consideration of the Bill, S. B. 393, as thus amended, was carried over temporarily.

The Bill:

H. 564. To amend Code of Alabama Title 51, Section 21, relating to the subjects of taxation in this State.

Was read a third time at length and passed.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Folsom	Lolley	Pierce	
Albea	Giles	McDermott	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Engel	Leonard			—29

Nays: Messrs.: Bailes, Dominick —2

The Bill:

S. 56. To fix the rate of assessing property for taxation and repeal conflicting laws.

was taken up.

The Standing Committee on Finance and Taxation offered the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 56

AMEND Section 1 by striking out the words "at twenty-five per cent" and in lieu thereof insert the words "at not more than thirty per cent".

Which was adopted.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Engel	Leonard	Pierce	
Albea	Folsom	Lolley	Radney	
Branyon	Giles	McDermott	Skidmore	
Carr	Gilmore	Morrow	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick				—28

Nays: Messrs.: Bailes, Nabors —2

On motion of Mr. Clark, the Senate reconsidered the vote by which it adopted the Committee amendment to the Bill, S. B. 56.

On motion of Mr. Clark, said Committee amendment was laid on the table.

Mr. Nabors then offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 56

Amend S. B. 56 by deleting the words "twenty-five per cent" and substituting the words "twenty per cent".

On motion of Mr. Clark, said amendment was laid on the table.

And said Bill was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Cooper	Jackson	Pierce	
Albea	Engel	Leonard	Skidmore	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McDermott	Torbert	
Carr	Givhan	Morrow	Turner	
Childs	Goodwyn	Oden	Vacca	
Clark	Harris	Pelham		—26

Nays:

Messrs.:	Folsom	Nabors	O'Bannon	
Dominick	Hawkins			—5

ADJOURNMENT

At 8:55 P. M., on motion of Mr. Torbert, the Senate adjourned until tomorrow, Thursday, August 10, 1967, at 10 o'clock A. M.

Yeas 19; Nays 10.

Yeas:

Messrs.:	Cooper	Lolley	Pierce	
Albea	Engel	McDermott	Skidmore	
Bailes	Givhan	O'Bannon	Stone	
Branyon	Jackson	Oden	Torbert	
Childs	Leonard	Pelham	Turner	
				—19

Nays:

Messrs.:	Folsom	Goodwyn	Nabors	
Carr	Giles	Hawkins	Vacca	
Clark	Gilmore	Morrow		—10

THIRTIETH LEGISLATIVE DAY

THURSDAY, AUGUST 10, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Honorable J. J. (Junie) Pierce, Senator from the Twenty-First Senatorial District.

ROLL CALL

Present:

Messrs.:	Dominick	Hawkins	Oden	
Albea	Engel	Jackson	Pelham	
Bailes	Folsom	Leonard	Pierce	
Branyon	Giles	Lolley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Goodwyn	Nabors	Turner	
Cooper	Harris	O'Bannon	Vacca	
				—31

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Ninth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Lindsey, McCarley and Radney for today.

MOTION TO RECONSIDER

Mr. Torbert moved that the Senate reconsider the vote by which it postponed further consideration of the Bill, S. B. 453, for three Legislative days. On motion of Mr. McDermott, the motion to reconsider was laid on the table.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Dominick	Hawkins	Morrow	
Bailes	Folsom	Leonard	Oden	
Branyon	Giles	Lolley	Pelham	
Childs	Gilmore	McDermott	Stone	
Cooper	Givhan			—17

Nays:

Messrs.:	Goodwyn	O'Bannon	Torbert	
Albea	Harris	Pierce	Turner	
Clark	Nabors	Skidmore	Vacca	
Engel				—12

BILLS ON THIRD READING

The Bill:

S. 556. To further regulate the salary of the State Budget Officer.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	O'Bannon
Albea	Folsom	Jackson	Pelham
Bailes	Giles	Leonard	Pierce
Branyon	Gilmore	Lolley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Cooper	Harris	Nabors	Vacca

—27

Nays:

—0

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Pierce and Goodwyn:

S. 569. Relating to counties having a population of not less than 120,000 or more than 200,000, according to the last or any subsequent federal decennial census; establishing compensation of the members of the Board of Revenue or other courts of like jurisdiction in all such counties.

Committee on Local Legislation No. 1.

By Mr. McDermott:

S. 570. To authorize and provide for the payment of supplemental retirement benefits to certain municipal employees in cities in this State having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; to repeal Act No. 773, S. 621, Regular Session 1951 (Acts 1951, p. 1342), as amended, which established a pension and relief system for municipal employees.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 571. To provide further for the selection of textbooks and instructional materials for use in the public schools of Lamar County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To provide further for the selection of textbooks and instructional materials for use in the public schools of Lamar County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lamar County the county board of education, upon the recommendation of the county superintendent of education, may select and adopt for use in the tax-supported elementary and high schools in the county textbooks and instructional materials other than the textbooks and materials on the state-adopted list. Whenever textbooks and instructional materials are substituted for the state-approved

or state-adopted books and materials, such books or materials shall be used by the teachers in the public schools in teaching any course or courses for which a substitution has been made. Provided, however, the county board of education shall not substitute books or texts or materials for the state-approved or state-adopted textbooks and materials, if such substitution would cause the county board of education to be unable to furnish free textbooks to all students in the system through the twelfth grade.

Section 2. The provisions of Act No. 412, S. 261, Regular Session 1945 (General Acts 1945, p. 647), and of Act No. 22, H. 40, Special Session 1965 (Acts 1965, p. 288), which are inconsistent with this Act are superseded by this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATEMENT
PUBLISHER'S CERTIFICATE
AND
PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAMAR

Before me, Nellie Ruth Taggart a Notary Public in and for said County, personally appeared Jack Hankins Publisher of The Lamar Democrat, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice was published once a week for 4 consecutive weeks in said paper in issues dated as follows:

July 20, 1967

July 27, 1967

August 3, 1967

August 10, 1967

JACK HANKINS,
Publisher.

Subscribed and sworn to before me, this the 10th day of August, 1967.

NELLIE RUTH TAGGART,
Notary Public.

My Commission Expires 8-27-69

By Messrs. Pelham and McDermott:

S. 572. To give the Director of Conservation the power to prohibit or restrict the use of air boats in the Mobile Delta Area during any waterfowl hunting season; to define the Mobile Delta Area.

Committee on Fish and Game.

By Mr. Torbert:

S. 573. To amend further Act No. 242, H. 678, Regular Session 1949, relating to the court of common pleas of Lee County, so as to make further provisions respecting allowances for expenses of the judge and deputy district attorney and for operation of the juvenile division of said court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 242, H. 678, Regular Session 1949, relating to the court of common pleas of Lee County, so as to make further provisions respecting allowances for expenses of the judge and deputy district attorney and for operation of the juvenile division of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 242, H. 678, Regular Session 1949, an act creating and establishing the court of common pleas of Lee County (Acts 1949, p. 361), as amended is hereby further amended so as to read as follows:

3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1950, and from every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Lee County, learned in the law, and licensed to practice law in this State. Neither the judge nor his partner shall practice law in any criminal case in any court in Lee County, nor shall his partner appear as counsel in any civil case in the Court of Common Pleas, but they may appear as counsel in civil cases in any court except the Court of Common Pleas, and the judge shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(c) The judge shall receive an annual salary of three thousand six hundred dollars (\$3,600), payable out of the general fund of the county in equal monthly installments.

(d) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, habeas corpus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat returnable to a court of proper jurisdiction; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace, including that of magistrates on preliminary examinations.

(e) The judge shall keep an office within the county and the county governing body may provide such office in the county courthouse. His office shall be suitably furnished, equipped and provided at

the expense of the county with such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court. The judge shall also be allowed the sum of \$300 per month to aid in the payment of clerk-hire or secretarial assistance, and the further sum of \$125 a month to defray expenses incurred in the operations of the juvenile court division. Such allowances shall be payable from the general funds of the county at the end of each month.

(f) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 2. Section 8 of said Act No. 242 of 1949 is hereby amended so as to read as follows:

8. Criminal Prosecutions. (a) Prosecutions may be commenced in such courts upon the sworn complaint made to the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by Code of Alabama 1940, Title 13, Section 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused. original copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Lee County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama 1940, Title 36, shall be returnable to the Court of Common Pleas and shall be there tried. Except as to the trial tax herein provided, the court costs in such cases shall be the same as in the courts of justices of the peace.

(c) Solicitor. The present deputy solicitor in Lee County shall be the solicitor of the Court of Common Pleas of Lee County, and without additional compensation shall attend all sessions of said court and do and perform all duties of a solicitor therein, and in addition shall attend and represent the state at all preliminary hearings therein, and shall do and perform all duties required of a deputy solicitor by Code of Alabama 1940, Title 13, Section 256. The board of revenue, court of county commissioners, or other like governing body of Lee County shall provide such solicitor an allowance of \$200 per month for clerk-hire and secretarial assistance. Such allowance shall be paid out of the general funds of the county at the end of each month.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was co-publisher of the Opelika Daily News, a newspaper of general circulation published in Opelika, Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on July 20, July 27, August 3, and August 10, all in the year 1967.

W. C. WEAR, JR.

Sworn to and subscribed before me August 10, 1967.

C. S. WHITTELSEY,
Notary Public, State of Alabama, at Large.

By Mr. Oden:

S. 574. Relating to counties having populations of not less than 21,900 nor more than 22,300 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; authorizing and providing for the deduction and withholding by the judge of probate of any such county of a prescribed amount of the first moneys accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Committee on Finance and Taxation.

By Mr. Oden:

S. 575. Relating to counties having populations of not less than 22,500 nor more than 24,550 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; forbidding the judge of probate of any such county to remit to the state highway department moneys collected by him from that part of the motor vehicle and trailer license taxes allocated to the county; to require such judges of probate to deposit such moneys in a special fund in the county treasury; and to prescribe the use thereof.

Committee on Finance and Taxation.

By Mr. Lolley (by request):

S. 576. To amend Section 5 of Act No. 163, H. 765 approved July 23, 1965, an Act entitled "To amend Section 5 of Act No. 11, S. 88, approved May 30, 1957 (Acts 1957, v. I, p. 35), an Act entitled 'To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws,' so as to further regulate the salaries of certain deputies of the sheriff." So as to provide additional compensation for certain deputies of the sheriff.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 5 of Act, No. 163, H. 765 approved July 23, 1965, an Act entitled "To amend Section 5 of Act No. 11, S. 88, approved May

30, 1957 (Acts 1957, v. I. p. 35), an Act entitled 'To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws,' so as to further regulate the salaries of certain deputies of the sheriff." So as to provide additional compensation for certain deputies of the sheriff.

SECTION I: Section 5 of Act No. 163, H.765 approved July 23, 1965, an Act entitled "To amend Section 5 of Act No. 11, S. 88, approved May 30, 1957 (Acts, v. I. p. 35), an Act entitled 'To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws,' so as to further regulate the salaries of certain deputies of the sheriff." is amended to read as follows:

"SECTION FIVE. The Sheriff of Houston County is hereby authorized and empowered to appoint one Chief Deputy whose salary shall be \$4860.00 per annum; seven additional deputies each of whom shall be entitled to a salary of \$4200.00 per annum; one bookkeeper deputy, whose salary shall be \$3600.00 per annum; one clerk whose salary shall be \$3600.00 per annum; three deputies who shall also serve as jailers and each of whom shall be entitled to a salary of \$3540.00 per annum."

SECTION II: This Act shall become effective immediately upon its passage and approval by the Governor or upon, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, 26, August 2, 9, 1967.

WALLACE MILLER.

Sworn to and subscribed before me this 10th day of August, 1967.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Harris:

S. 577. To apply only in counties having populations of not less than 36,000 nor more than 36,600, providing further for meetings and compensation of members of the boards of education of such counties.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen (Baldwin) et al:

H. 514. To appropriate from the Seafood Fund for transfer to the State Building Commission the sum of Twenty Thousand Dollars (\$20,000.00), or so much thereof as may be needed to complete the construction of the fishing pier at Gulf State Park; to provide that any unexpended sums shall revert to the Seafood Fund.

By Mr. Pennington:

H. 532. To make an additional appropriation for the expenses of the Office of the State Auditor.

By Mr. Owen (Baldwin):

H. 694. To make an appropriation from the State General Fund to the State Building Commission for additions, remodeling and renovations of the Governor's Mansion at Gulf Shores, Alabama.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Folsom:

S. 535. To create a hospital board in and for all counties having populations of not less than 51,000 nor more than 55,000, according to the most recent federal decennial census; to prescribe the jurisdiction, powers, and authority of the board with respect to the operation and maintenance of any county, municipal or other public hospital presently or hereinafter operated in said counties; to provide for the organization of the board, and for the appointment, qualifications, terms, compensation, powers, and duties of members of the board, and to repeal Act No. 374 approved July 6, 1943, Act No. 436 approved July 6, 1945, and all other conflicting laws.

By Mr. Jackson (with notice and proof):

S. 564. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

By Messrs. Lindsey and Cooper:

S. 558. To provide an additional expense allowance for the judge of the first judicial circuit, payable by the counties composing said circuit.

By Mr. Laxson et al (with notice and proof):

H. 725. To amend Act No. 394, S. 483, Regular Session 1965, relating to the office of tax assessor of Madison County, so as to provide further for the clerks and assistants for the tax assessor.

By Messrs. Garrett and Melton:

H. 742. To create an inferior court for counties having populations not less than 22,372 nor more than 24,000; to replace county courts of counties having populations of not less than 22,372 nor more than 24,000.

By Mr. Lindsey:

S. 559. To amend Section 2 of Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796), an act providing additional expense allowances for members of the governing bodies of counties having populations of not less than 17,800 nor more than 18,700.

By Messrs. Dobbs and Shumate:

H. 656. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dobbs (with notice and proof) (with substitute):

H. 655. Relating to Walker County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Giles:

S. 249. To authorize political subdivisions to enter into agreements for joint or cooperative action between themselves, a state or the United States and prescribing the procedures therefor.

By Mr. Giles:

S. 501. To authorize the Board of Commissioners of any incorporated municipality organized and operating under the provisions of Chapter 4, Article 2, Title 37, Code of Alabama 1940, as amended, which owns and operates a light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to authorize a municipal board or a municipal public corporation which owns or operates a municipal light and power system, a municipal water system, a municipal sewer system, or a municipal gas system, one or any of them, and operating in a municipality organized under Chapter 4, Article 2, Title 37, Code of Alabama 1940, to employ the Mayor or President of the Board of Commissioners to act as superintendent of such system or systems; to fix his duties while so acting as superintendent, to pay additional compensation for his services as superintendent of such system or systems, and to validate the employment of and compensation paid to any Mayor or President of the Board of Commissioners for services heretofore rendered as superintendent of any such system or systems.

By Messrs. Engel and McDermott:

S. 273. To amend Act No. 484, H. 561, Regular Session 1957 (Acts 1957, p. 669), entitled "An Act to validate, in certain cases, industrial development boards attempted to be organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation."

By Mr. Cameron:

H. 478. Further providing for the clearing of blighted areas and the prevention of blight: Amending the title and Sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Act No. 491, S. 402, Regular Session 1949 (Acts 1949, p. 713) so as to confer on and vest in municipal governing bodies the same powers, duties and authority relative to clearing blighted areas and preventing blight that are conferred on and vested in housing authorities by said act.

By Mr. Cameron:

H. 479. Further providing for the granting of additional power and authority for the elimination and prevention of the development or spread of slums and blight: Amending the title and Sections 2, 4, 5 and 7 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, P. 1210) so as to confer on and vest in municipal governing bodies the same additional powers, duties, and authority relative to the elimination and prevention of the development or spread of slums and blight that are conferred on and vested in housing authorities by said Act.

By Mr. Merrill et al:

H. 356. To amend further Section 440 of Title 37 of the Code of Alabama, 1940, as amended, relating to municipal operations.

By Mr. Lemley:

H. 513. To make further provisions respecting the qualifications of certain officers of incorporated municipalities and to repeal conflicting laws.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Downing:

H. 178. To amend Title 51, Section 231, Code of Alabama, 1940, allowing State, counties, cities and towns to file suit to collect taxes and allowing tax collector of county to file in own name for taxes due such agencies for which they are responsible to collect the tax.

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 561. To further amend Section 27, Title 17, Code of Alabama, 1940 as amended, in relation to the meeting days of boards of registrars and validating and confirming expenditures heretofore made.

By Mr. Turner:

S. 568. To amend Section 2 of Act No. 217 enacted at the 1967 Special Session of the Legislature of Alabama so as to exempt from the provisions of said act contracts relating to industrial development, contracts for the furnishing of fiscal or financial advice or services, and contracts for the construction and equipment of buildings for public building authorities under the provisions of Act No. 493 of the 1955 Regular Session of the Legislature of Alabama (as amended).

By Messrs. Drake and Mathews:

H. 618. To amend Act No. 565, H. B. 626, Regular Session 1955, an act relating to the management of public records and providing for state and county records commissions.

By Mr. Lybrand:

H. 796. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political sub-divisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 393. To prohibit the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks in and into the State of Alabama; to declare certain fireworks and sparklers illegal and contraband within the State of Alabama and to provide for their confiscation; to regulate the sale, use, possession, gift, importation, distribution, transportation, storage, public display, manufacture and consumption of certain fireworks and sparklers in and into the State of Alabama and to prescribe permit procedures, permits and fees for the same; to regulate the periods of permitted retail sale and use in the State of Alabama of certain fireworks; to prescribe penalties for any violation of this act; and to repeal Act No. 391, Acts of Alabama, Regular Session 1955, approved September 9, 1955.

as amended, which said amendments are set out in the Journal of the Senate for the Twenty-Ninth Legislative Day.

The question was on the amendment offered by Mr. Dominick to the Bill, as amended, which said amendment is set out in the Journal of the Senate for the Twenty-Ninth Legislative Day.

Mr. Goodwyn moved that said amendment be laid on the table, which motion was lost.

Yeas 12; Nays 14.

Yeas:

Messrs.:	Goodwyn	O'Bannon	Pierce	
Clark	Harris	Oden	Skidmore	
Engel	McDermott	Pelham	Turner	
Folsom				—12

Nays:

Messrs.:	Childs	Gilmore	Lolley	
Bailes	Cooper	Hawkins	Morrow	
Branyon	Dominick	Jackson	Vacca	
Carr	Giles	Leonard		—14

The question recurred on the amendment offered by Mr. Dominick, and said amendment was then adopted.

Yeas 18; Nays 12.

Yeas:

Messrs.:	Childs	Gilmore	Morrow	
Albea	Cooper	Hawkins	Pelham	
Bailes	Dominick	Jackson	Stone	
Branyon	Folsom	Leonard	Vacca	
Carr	Giles	Lolley		—18

Nays:

Messrs.:	Harris	O'Bannon	Skidmore	
Clark	McDermott	Oden	Torbert	
Engel	Nabors	Pierce	Turner	
Goodwyn				—12

Mr. Bailes offered the following amendment to the Bill, S. B. 393, as amended, to-wit:

AMENDMENT TO S. B. 393

Amend Section 9 of said bill by deleting from said section the following words:

"now classified as "ICC Class C Common Fireworks by the duly promulgated regulations of the Interstate Commerce Commission of the United States of America"

and substitute in lieu thereof the following

"not over one-eighth of one inch in length and one centimeter in diameter"

On motion of Mr. Bailes, further consideration of the Bill, S. B. 393, as amended, and pending amendment, was postponed for three Legislative days.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Dominick	Givhan	Lolley	
Bailes	Folsom	Hawkins	Morrow	
Carr	Giles	Jackson	Stone	
Childs	Gilmore	Leonard	Vacca	
Cooper				—16

Nays:

Messrs.:	Engel	Nabors	Pierce	
Albea	Goodwyn	O'Bannon	Skidmore	
Branyon	Harris	Oden	Turner	
Clark	McDermott	Pelham		—14

The Bill:

S. 406. To amend Section 177 (1e) of Title 13 of the Code, 1940, as amended.

was taken up.

Mr. Giles offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 406

In Section 1, second paragraph, strike out the words and figures "Seventeen Thousand Five Hundred (\$17,500.00) Dollars" and insert "fifteen thousand dollars (\$15,000)"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Branyon	Gilmore	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Engel				—24

Nays: —0

Mr. Giles then offered the following amendment to the Bill, S. B. 406, as amended, to-wit:

AMENDMENT TO S. B. 406

Strike out Section 2 and insert in lieu thereof the following:

Section 2. This Act shall take effect on the first Monday after the second Tuesday in January 1971.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Engel	Harris	Nabors	
Albea	Folsom	Hawkins	O'Bannon	
Carr	Giles	Jackson	Pelham	
Childs	Gilmore	Lolley	Stone	
Clark	Givhan	McDermott	Turner	
Cooper	Goodwyn	Morrow	Vacca	
				—23

Nays: —0

And said Bill, S. B. 406, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nay 1.

Yeas:

Messrs.:	Engel	Hawkins	O'Bannon	
Albea	Folsom	Jackson	Oden	
Branyon	Giles	Leonard	Skidmore	
Childs	Gilmore	Lolley	Stone	
Clark	Givhan	McDermott	Torbert	
Cooper	Goodwyn	Morrow	Turner	
Dominick	Harris	Nabors	Vacca	
				—27

Nay: Mr. Pelham —1

RESOLUTION

Mr. Giles offered the following Senate Joint Resolution, to-wit:

S. J. R. 83. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That House Bill No. 503 be known as the "Lolley, Bassett and Hardin Bill."

On motion of Mr. Giles, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 407. To amend further Section 1 of Act No. 936, H. 652, Regular Session 1951 (Acts 1951, p. 1605), an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a circuit court judge.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nay 1.

Yeas:

Messrs.:	Giles	Lolley	Pierce
Albea	Givhan	McDermott	Skidmore
Carr	Harris	Morrow	Stone
Clark	Hawkins	Nabors	Torbert
Cooper	Jackson	O'Bannon	Turner
Engel	Leonard	Oden	Vacca
Folsom			

—24

Nay: Mr. Branyon —1

Messrs. Pelham and Bailes abstained from voting on S. B. 407 because of personal interest.

The Bill:

S. 492. To further amend Section 1 of Act No. 511, H. 610, Regular Session 1963, an Act fixing the compensation of District Attorneys payable from the State treasury, as last amended by Act No. 264, S. 96, Special Session 1966.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pierce
Albea	Folsom	McDermott	Skidmore
Bailes	Giles	Morrow	Stone
Branyon	Gilmore	Nabors	Torbert
Childs	Givhan	O'Bannon	Turner
Clark	Hawkins	Oden	Vacca
Cooper	Jackson	Pelham	

—26

Nays: —0

The Bill:

S. 303. To amend Section 5 and Section 8 of Act No. 515, H. B. 93, approved July 9, 1945 (General Acts 1945 Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 303

AMEND Senate Bill 303 by striking therefrom "Section 3" and inserting in lieu thereof the "following":

"Section 3. This Act shall become effective the first day of the month after the Governor shall notify the State Budget Officer that the necessary funds to support the amendments are available which shall not be earlier than October 1, 1967".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden	
Albea	Engel	Leonard	Pierce	
Bailes	Folsom	McDermott	Skidmore	
Branyon	Giles	Morrow	Stone	
Carr	Gilmore	Nabors	Turner	
Childs	Givhan	O'Bannon	Vacca	
Cooper	Harris			—25

Nays:

—0

And said Bill, S. B. 303, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon	
Albea	Engel	Jackson	Oden	
Bailes	Folsom	Leonard	Pelham	
Branyon	Giles	Lolley	Pierce	
Carr	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Turner	
Cooper	Harris	Nabors	Vacca	
				—27

Nays:

—0

The Bill:

S. 222. To amend Section 366 and Section 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 222

A BILL
TO BE ENTITLED
AN ACT

To amend Section 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 366 of Title 52 of the Code of Alabama of 1940, as amended, be and is hereby amended as follows:

S. 366. BENEFITS. (1) (a) Any member who withdraws from service upon or after attainment of age sixty may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired, provided that any such member who became a member on or after October 1, 1963 shall have completed ten or more years of creditable service. (b) Any member who has attained age sixty and has previously withdrawn from service may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof he desires to be retired, provided that the said member shall have completed at the time of his withdrawal from service, the requirements established by the Board of Control for eligibility for deferred benefits pursuant to Section 364 of this title. (c) Any teacher in service who has attained age seventy shall be retired, or shall withdraw from service, forthwith, provided that with the approval of his employer, he may remain in service until the end of the then current school year which shall be no later than the June 30 following the date on which he attains age seventy. (2) Upon retirement from service a member shall receive a service retirement allowance which shall consist of: (a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and (b) a pension which shall be equal to the annuity allowable at age of retirement, but not to exceed an annuity allowable at age sixty-five computed on the basis of contributions made prior to the attainment of age sixty-five; and (c) if he has a prior service certificate in full force and effect an additional pension which shall be equal to the annuity which would have been provided at age of retirement, but not to exceed an annuity allowable at age sixty-five by twice the contributions which he would have made during the period of prior service with which he is credited, had the system been in operation and had he contributed thereunder. In lieu of a determination of the actual compensation of the members that was received during such prior service, the Board of Control may use for the purposes of this chapter the compensation rates which, if they had progressed with the rates of salary increase shown in the tables as prescribed in Section 367, subsection (13) of this title, would have resulted in the same average salary of the member for the five years immediately preceding the date of establishment as the records show the member actually received; and (d) the annual service retirement pension payable to a member retiring on or after October 1, 1966 shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) One and one-fourth per centum of the member's average final compensation multiplied by the number of years of his creditable service, reduced in the case of a member who retires prior to the attainment of age sixty-five by one-fourth of one per centum for each month by which his date of retirement precedes his sixty-fifth birthday; or (ii) \$48.00 multiplied by the number of years of his creditable service not in excess of twenty-

five years. (iii) Notwithstanding the foregoing provisions of this subsection (2) it is provided that no member retiring under its provisions who has served as a "classroom teacher" in the public schools of the State shall receive less than \$6.00 per month for each year of creditable service as a "classroom teacher" not in excess of 25 years of such service and it is further provided that all retirement allowance payments due on or after October 1, 1966 to members who retired prior to said date shall be redetermined as if the provisions of this part (iii) of subsection (2) which becomes effective on said date were in effect at the time the member retired. "Classroom" teacher as referred to hereinabove shall mean: a teacher who actually teaches in a classroom of an Alabama public elementary school, high school, Trade School, Training School, Industrial School, Special Institutions of Learning, Junior College, College, University, or an Attendance Officer, a Librarian, a Supervisor, a Principal, or a City or County Superintendent of Education. (2 $\frac{1}{4}$) Upon the application of a member in service or of his employer, any member who has had ten or more years of creditable service may be retired by the Board of Control, on a disability retirement allowance not less than thirty nor more than ninety days next following the date of filing such an application; provided that the Medical Board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. (2 $\frac{1}{2}$) Upon retirement for disability a member shall receive a service retirement allowance if he has attained age 60, otherwise he shall receive a disability retirement allowance which shall consist of (a) an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement and (b) a pension which shall be equal to the pension that would have been payable under paragraphs (b) and (c) of Subsection (2) of this Section upon service retirement at age 65 had the member continued in service to said age without change in compensation, reduced by one-fourth of one per centum for each month by which his date of retirement precedes his sixty-fifth birthday to a maximum reduction of twenty-five per centum. The annual disability retirement pension shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) one and one-fourth per centum of the member's average final compensation multiplied by the number of years of creditable service reduced by one-fourth of one per centum for each month by which his date of retirement precedes his sixty-fifth birthday to a maximum reduction of twenty-five per centum or (ii) \$36.00 multiplied by the number of years of his creditable service not in excess of 25 years except that in the case of a "classroom teacher" the amount shall be \$54.00 multiplied by the number of years of his creditable service not in excess of 25 years. (2 $\frac{3}{4}$) (a) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three year period thereafter, the Board of Control may, and upon his application shall require any disability beneficiary who has not yet attained age sixty to undergo a medical examination, such examination to be made at the place of residence of such beneficiary, or other place mutually agreed upon, by a physician of or designated by the Medical Board. Should any disability beneficiary who has not yet attained age sixty refuse to submit to such medical examination, his pension may be discontinued until his withdrawal of such refusal, and should his refusal continue for one year, all his rights in and to his pension may be revoked by the Board of Control. (b) Should the Medical Board report and certify to the Board of Control that a disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, and should the Board of Control concur in such report, then the amount of his pension shall be reduced to an amount which, together with his

annuity and the amount earnable by him shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension may be further modified; provided that the new pension shall not exceed the amount of the pension originally granted, nor an amount which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his average final compensation. (3) (a) Should a member cease to be a teacher except by death or by retirement under the provisions of this chapter, the contributions standing to the credit of his individual account in the annuity savings fund shall be paid to him upon demand, and in addition to such payment there shall be paid five-tenths of the interest accumulations standing to the credit of his individual account if he shall have not less than three but less than sixteen years of membership service, six-tenths of such interest accumulations if he shall have not less than sixteen, but less than twenty-one years of membership service, seven-tenths of such interest accumulations if he shall have not less than twenty-one but less than twenty-six years of membership service and eight-tenths of such interest accumulations if he shall have not less than twenty-six years of membership service. (b) Should a member die before retirement, the amount of his contributions with all accrued interest credited at the time of his death shall be paid to his estate, or to such person as he shall have nominated by written designation duly executed and filed with the Board of Control. (4) With the provision that no election of an option shall be effective until the end of the month following the effective date of retirement, and that should a beneficiary die before his first benefit payment is due at the end of the month following the effective date of retirement, he shall be considered as an active member at the time of death, any member may elect prior to retirement to receive, in lieu of his retirement allowance payable throughout life, the actuarial equivalent at that time of his retirement allowance in a reduced retirement allowance payable throughout life with the provision that: Option 1. If he dies before he has received in annuity payments the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control; or Option 2. Upon his death, his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 3. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the Board of Control. (5) (a) Should any beneficiary be restored to active service from service retirement, or from disability retirement on or after attainment of age fifty, his retirement allowance shall be suspended until he again withdraws from service, he shall not again become a member, nor shall he make contributions, except that should such beneficiary, who has been restored to active service, continue in service for a period of five or more years from the date of his re-entry into active service, he may request the Board of Control to allow him to again become a member of the Retirement System. The Board of Control may grant the request for restoration to membership provided such beneficiary whose retirement allowance has been suspended repays to the system all monies received by him as benefits during any periods subsequent to the date of his re-entry into active service and provided

further that he makes a contribution equal to the amount he would have contributed had he been a member during the period of his restoration to active service on a suspended allowance basis, together with the interest which would have been credited to the contributions on account of such period of restoration up to the date such contribution is made. (b) Should any beneficiary on disability retirement be restored to active service before reaching age fifty, he shall again become a member of the Retirement System and shall make contributions. (6) (a) All retirement allowance payments due on or after October 1, 1967 to members who retired prior to said date shall be re-determined as if the provisions of subsection (2) and (2½) of this section which became effective on said date were in effect at the time the member retired, provided that the annual retirement allowance of any member who retired on or before January 1, 1956 shall be not less than \$79.20 multiplied by the number of years of his creditable service not in excess of thirty years, in the case of service retirement, or \$59.40 multiplied by the number of years of creditable service not in excess of thirty years, in the case of disability retirement. Any increase provided in the retirement allowance payment under this subsection (6) for a member who retired under the provisions of any optional benefit elected pursuant to subsection (4) of this section shall accrue only to the retired member, and no person designated to receive any payments after the death of a retired member under the provisions of any such optional benefit shall receive any increase in such payments under this subsection. (b) Any person who served at least thirty years as a teacher in the public schools of Alabama and was never a member of the system, and who, prior to October 1, 1963, was in receipt of a benefit for old age assistance pursuant to subsection (1) and (2) of Section 1 of Act No. 116, approved August 24, 1959 shall be entitled to receive an annual retirement allowance of \$2,376.00 from the System, effective as of October 1, 1967; (c) Prior to October 31, 1967 any beneficiary may elect to leave on deposit with the system all or a specified part of any increase in his monthly retirement allowance payments arising in accordance with paragraph (a) of this subsection or all or a specified part of the excess of his monthly retirement allowance payments under paragraph (b) of this subsection. The portion of each monthly payment left in the system in accordance with such election shall be credited, together with regular interest thereon, to the individual account of such beneficiary. Upon the death of such beneficiary the total amount standing to his credit, including regular interest to the date of death, shall be paid in a lump sum to his legal representative or to such person as he shall have nominated by written designation duly acknowledged and filed with the Board of Control.

Section 2. This Act shall become effective October 1, 1967.

On motion of Mr. Goodwyn, said substitute was laid on the table.

Mr. Oden offered the following amendment to the Bill, S. B. 222, to-wit:

AMENDMENT TO SUBSTITUTE BILL FOR S. B. NO. 222

Amend Section 1, S. 366. Benefits 2 (d) (i) by deleting the following words:

“reduced in the case of a member who retires prior to the attainment of age sixty-five by one-fourth of one percentum for each month by which his date of retirement precedes his sixty-fifth birthday”

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 19; Nays 10.

Yeas:

Messrs.:	Giles	Leonard	O'Bannon
Bailes	Gilmore	Lolley	Pelham
Branyon	Goodwyn	McDermott	Pierce
Cooper	Harris	Morrow	Torbert
Dominick	Jackson	Nabors	Turner

—19

Nays:

Messrs.:	Clark	Givhan	Stone
Albea	Engel	Hawkins	Vacca
Childs	Folsom	Oden	

—10

Mr. Turner offered the following amendment to the Bill, S. B. 222, to-wit:

AMENDMENT TO S. B. 222

AMEND Senate Bill 222 by striking therefrom the whole of Section 3 and insert in lieu thereof the following:

"Section 3. This Act shall become effective the first day of the month after the Governor shall notify the State Budget Officer that the necessary funds to support the amendments are available which shall not be earlier than October 1, 1967."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick			

—28

Nays:

—0

And said Bill, S. B. 222, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Oden
Albea	Engel	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Branyon	Giles	Lolley	Skidmore
Carr	Gilmore	McDermott	Stone
Childs	Givhan	Morrow	Torbert
Clark	Goodwyn	Nabors	Turner
Cooper	Harris	O'Bannon	Vacca

—31

Nays:

—0

The Bill:

H. 321. To create and establish the Alabama Council on the Arts, to provide for the appointment of its members, their qualifications, terms, duties, authority, and making an appropriation therefor.

was taken up.

Mr. Giles offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 321**A BILL
TO BE ENTITLED
AN ACT**

To create and establish the Alabama Council on the Arts, to provide for the appointment of its members, their qualifications, terms, duties, authority, and making an appropriation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby found that many of our citizens lack the opportunity to view, enjoy, or participate in living theatrical performances, musical concerts, operas, dance and ballet recitals, art exhibits, examples of fine architecture, and the performing and fine arts generally. It is hereby further found that, with increasing leisure time, the practice and enjoyment of the arts are of increasing importance and that the general welfare of the people of the state will be promoted by giving further recognition to the arts as a vital aspect of our culture and heritage and as a valued means of expanding the scope of our educational programs.

It is hereby declared to be the policy of the state to join with private patrons and with institutions and professional organizations concerned with the arts to insure that the role of the arts in the life of our communities will continue to grow and will play an ever more significant part in the welfare and educational experience of our citizens.

Section 2. There is hereby created and established a state commission, to be known as the "Alabama Council on the Arts", to consist of fifteen members, broadly representative of all fields of the performing and fine arts, to be appointed by the governor from among citizens of Alabama who are widely known for their competence and experience in connection with the performing and fine arts. In making such appointments, due consideration shall be given to the recommendations made by representative civic, educational, and professional associations and groups, concerned with or engaged in the production or presentation of the performing and fine arts generally.

Section 3. The term of office of each member shall be six years; provided, however, that of the members first appointed, five shall be appointed for terms of two years, five for terms of four years, and five for terms of six years. Other than the chairman, no member of the council who serves a full six-year term shall be eligible for reappointment during a one-year period next following the expiration of his term. The governor shall designate a chairman and a vice-chairman from the members of the council to serve as such at the pleasure of the governor. The chairman shall be the chief executive officer of the council. The council itself shall nominate three persons from the same geographical area to replace each of the members whose term of service is expiring, not less than six months prior to expiration of a regular term of service, and promptly upon other occurrences of a vacancy.

Vacancies shall be filled by appointment by the governor from such nominees. The members of the council shall not receive any compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

Section 4. The chairman may employ, with the approval of the council, such officers, experts, and other employees as may be needed and fix their compensation within the amounts made available for such purposes.

Section 5. The duties of the council shall be:

(1) To stimulate and encourage throughout the state the study and presentation of the performing and fine arts and public interest and participation therein;

(2) To make such surveys as may be deemed advisable of public and private institutions engaged within the state in artistic and cultural activities, including but not limited to, music, theatre, dance, painting, sculpture, architecture, and allied arts and crafts, and to make recommendations concerning appropriate methods to encourage participation in and appreciation of the arts to meet the legitimate needs and aspirations of persons in all parts of the state;

(3) To take such steps as may be necessary and appropriate to encourage public interest in the cultural heritage of our state and to expand the state's cultural resources; and

(4) To encourage and assist freedom of artistic expression essential for the well-being of the arts.

Section 6. The council is hereby authorized and empowered to hold public and private hearings, to enter into contracts, within the limit of funds available therefor, with individuals, organizations, and institutions for services furthering the educational objectives of the council's programs; to enter into contracts, within the limit of funds available therefor, with local and regional associations for cooperative endeavors furthering the educational objectives of the council's programs; to accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the educational objectives of the council's programs; to make and sign any agreements and to do and perform any acts that may be necessary to carry out the purposes of this act. All debts created or obligations incurred by the council shall be solely and exclusively obligations of the council and shall not create an obligation of the State of Alabama or of any county or municipality.

Section 7. The council is the official agency of this state to receive and disburse any funds made available by the National Foundation on the Arts. The council may request and shall receive from any department, division, board bureau, commission, or agency of the state such assistance and data as may be reasonable consistent with the facilities, personnel and duties of the organization to which the request is made, so as to enable the council properly to carry out its powers and duties hereunder.

Section 8. There is hereby appropriated from the general fund the sum of \$50,000.00 for each of the fiscal years ending September 30, 1968 and September 30, 1969, conditional on the condition of the State Treasury to be paid on approval of the governor, for salaries, equipment, supplies, and other expenses of the council.

Section 9. The council shall make an interim report to the governor and the legislature not later than the thirtieth legislative day of the 1967 Regular Session of the legislature and from time to time thereafter.

Section 10. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this act are repealed.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Albea	Folsom	Leonard	Pierce	
Bailes	Giles	Lolley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Cooper	Harris	Nabors	Vacca	
Dominick	Hawkins	O'Bannon		—26

Nays:

—0

And said Bill, H. B. 321, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Albea	Engel	Leonard	Pelham	
Bailes	Folsom	Lolley	Pierce	
Branyon	Giles	McDermott	Skidmore	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins			—29

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Giles, further consideration of the Bill, S. B. 153, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 209. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

Was read a third time at length and passed.

Yeas 23; Nay 1.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon
Bailes	Engel	Leonard	Pierce
Branyon	Gilmore	Lolley	Skidmore
Carr	Goodwyn	McDermott	Stone
Clark	Harris	Morrow	Torbert
Cooper	Hawkins	Nabors	Vacca

—23

Nay: Mr. Childs

—1

The Bill:

S. 322. Making further provisions respecting the crime of abortion, amending Code of Alabama 1940, Title 14, Section 9, so as to provide for justified medical termination of pregnancies and to fix the punishment for criminal abortion and pretended criminal abortion.

was taken up.

The Standing Committee on Public Health reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 322

In Section 1, 3rd paragraph, after the words "The intentional ending of the pregnancy of a woman" insert the following words: who is a resident of Alabama

Also, in Section 1, subsection (c) add the following: "Accredited hospital" means a hospital approved and licensed by the State Board of Health.

Which was adopted.

Yeas 24; Nay 1.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon
Albea	Folsom	Leonard	Pierce
Bailes	Giles	Lolley	Stone
Branyon	Givhan	McDermott	Torbert
Carr	Harris	Morrow	Turner
Clark	Hawkins	Nabors	Vacca
Cooper			

—24

Nay: Mr. Childs

—1

Mr. Dominick offered the following amendment to the Bill, S. B. 322, as amended, to-wit:

AMENDMENT TO S. B. 322, AS AMENDED

In Section 1, second paragraph, strike out the words and figures "is guilty of a felony, punishable by imprisonment in the state penitentiary for not less than three years nor more than ten years and by a fine in a sum not exceeding two thousand dollars" and insert the words "is guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), and may also be imprisoned in the county jail, or sentenced to hard labor for the county for not more than twelve months."

Also in Section 1, third paragraph, strike out the words and figures "is guilty of a felony, punishable by imprisonment in the state penitentiary for not less than one year nor more than three years and by a fine in a sum not exceeding one thousand dollars" and insert the words and figures "is guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), and may also be imprisoned in the county jail, or sentenced to hard labor for the county for not more than twelve months"

Mr. McDermott moved that further consideration of the Bill, as amended, and pending amendment, be postponed three legislative days.

Mr. Cooper offered a substitute motion that said Bill be recommitted. Mr. Dominick moved that the motion to recommit be laid on the table, and the motion to table was lost.

Yeas 5; Nays 24.

Yeas:

Messrs.:	Clark	Harris	Pierce	
Branyon	Dominick			—5

Nays:

Messrs.:	Folsom	Lolley	Pelham	
Albea	Giles	McDermott	Skidmore	
Bailes	Gilmore	Morrow	Stone	
Carr	Givhan	Nabors	Torbert	
Childs	Goodwyn	O'Bannon	Turner	
Cooper	Hawkins	Oden	Vacca	
Engel				—24

The question recurred on the substitute motion of Mr. Cooper and said Bill, S. B. 322, as amended, and pending amendment, was re-referred to the Standing Committee on Public Health.

The Bill:

H. 297. Proposing an amendment to the Constitution of Alabama authorizing each county and municipality of the State to levy and collect additional property taxes for library purposes.

Was read a third time at length as required by the Constitution and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Oden	
Albea	Giles	Leonard	Pelham	
Bailes	Gilmore	Lolley	Pierce	
Branyon	Givhan	McDermott	Stone	
Carr	Goodwyn	Nabors	Torbert	
Engel	Harris	O'Bannon	Turner	
				—23

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Engel, further consideration of the Bill, S. B. 126, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 301. To amend Act No. 79, S. B. 76, Special Session 1961, an act regulating the practice of engineering and land surveying, in relation to definitions and general requirements for registration and certification.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Giles	McDermott	Stone	
Branyon	Gilmore	Morrow	Turner	
Carr	Harris	Nabors	Vacca	
Childs	Hawkins	O'Bannon		—22

Nays:

—0

The Bill:

S. 381. To amend Code of Alabama 1940, Title 46, Sections 195 and 205, relating to the state board of optometry, the renewal of licenses by optometrists, and the use of the proceeds of license or registration fees.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Clark	Givhan	Pelham	
Albea	Dominick	Harris	Pierce	
Bailes	Engel	Jackson	Stone	
Branyon	Folsom	Lolley	Torbert	
Carr	Giles	Nabors	Turner	
Childs	Gilmore	O'Bannon		—22

Nays:

—0

The Bill:

H. 238. To provide a legal defense fund for the benefit of state law enforcement officers in certain cases.
was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 238

AMEND House Bill 238 by striking therefrom the whole of Section 2 and inserting in lieu thereof the following:

"Section 2. There is hereby appropriated, from any funds in the state treasury not otherwise appropriated, the sum of \$25,000.00, or so much thereof as may be necessary, for each of the fiscal years ending September 30, 1968 and September 30, 1969 for the purpose of carrying out the provisions of this Act."

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Albea	Folsom	Jackson	Pierce
Bailes	Giles	Leonard	Stone
Branyon	Gilmore	Lolley	Torbert
Childs	Givhan	McDermott	Turner
Cooper	Harris	Nabors	Vacca

—23

Nays:

—0

And said Bill, H. B. 238, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon
Albea	Giles	Leonard	Pierce
Bailes	Gilmore	Lolley	Stone
Branyon	Givhan	McDermott	Turner
Childs	Harris	Nabors	Vacca
Cooper	Hawkins		

—21

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Engel, further consideration of the Bills, H. B.'s 322 and 323, was indefinitely postponed by the Senate.

On motion of Mr. Turner, further consideration of the Bill, H. B. 226, was indefinitely postponed by the Senate.

On motion of Mr. Givhan, further consideration of the Bills, S. B.'s 24 and 25, was indefinitely postponed by the Senate.

On motion of Mr. Turner, further consideration of the Bill, H. B. 396, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 509. To protect peace officers from personal abuse or assault while engaged in performance of duties, and to prescribe a penalty for abuse or assault upon such peace officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Nabors
Bailes	Dominick	Hawkins	Pelham
Branyon	Folsom	Jackson	Stone
Carr	Giles	Leonard	Torbert
Childs	Gilmore	Lolley	Turner
Clark	Givhan		

—21

Nays:

—0

The Bill:

H. 298. To amend Code of Alabama 1940, Title 30, Section 97, in relation to the lodging of jurors when the jury is kept together.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lolley	Pierce	
Branyon	Giles	Morrow	Skidmore	
Carr	Gilmore	Nabors	Stone	
Cooper	Givhan	O'Bannon	Turner	
Dominick	Harris			—21

Nays:

—0

The Bill:

S. 373. To amend Title 8, Section 183, Code of Alabama 1940, which pertains to the State Park Fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	Pelham	
Albea	Folsom	Jackson	Skidmore	
Bailes	Giles	Leonard	Stone	
Branyon	Gilmore	Lolley	Turner	
Carr	Givhan	Nabors	Vacca	
Dominick	Harris	O'Bannon		—22

Nays:

—0

The Bill:

S. 374. To provide for the operation of all state parks, monuments and historical sites and parks division facilities by employees of the department of conservation, division of state parks, monuments and historical sites under certain conditions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Pelham	
Albea	Engel	Hawkins	Skidmore	
Bailes	Folsom	Jackson	Stone	
Branyon	Giles	Lolley	Torbert	
Carr	Gilmore	McDermott	Turner	
Clark	Givhan	O'Bannon	Vacca	
Cooper				—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 116. To provide for the renovation, remodeling, and equipment of certain space in the Capitol building for the use of the members of the House of Representatives and House committees, making an appropriation for such purpose.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 461. To provide for the maintenance and construction of roads within state parks and state-owned public fishing lake areas.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Skidmore	
Albea	Engel	Leonard	Stone	
Bailes	Giles	Lolley	Torbert	
Branyon	Gilmore	McDermott	Turner	
Carr	Harris	Nabors	Vacca	
Cooper	Hawkins	Pelham		—22

Nays:

—0

RESOLUTIONS

The Lieutenant Governor and Messrs. Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner and Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 84. WHEREAS the State of Alabama has long been noted for the patriotism of its citizens, for their firm beliefs in a free democracy, and for their willingness to fight for the principles for which our government stands; and

WHEREAS many of our finest young men are today engaged in active combat in Viet Nam, scores of them have been wounded and others have made the supreme sacrifice in upholding the cause of freedom; and

WHEREAS we are saddened and grieved by the suffering and losses of our boys in the Viet Nam conflict, and we share the sorrows which have come to their families and loved ones; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are indeed proud of our Alabama boys in Viet Nam and the outstanding record for bravery which they have won. We mourn the loss of those who have given their lives for our country, and we extend our heartfelt sympathy to their families.

RESOLVED FURTHER that the State Military Department be directed to send a copy of this resolution to the parents or next of kin of each Alabamian lost in the Viet Nam conflict.

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Folsom offered the following Senate Joint Resolution, to-wit:

S. J. R. 85. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That House Bill No. 321 be known as the "Giles-Edington Bill."

On motion of Mr. Folsom, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 436. To make an appropriation to the Department of Public Safety from the General Fund.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 436

Amend H. B. 436 by striking therefrom the whole of Section 1 and inserting in lieu thereof the following:

"Section 1. In addition to all other appropriations heretofore or hereafter made to the Department of Public Safety, there is hereby appropriated from the State General Fund to the Department of Public Safety the sum of \$165,000.00 for the fiscal year ending September 30, 1967. Such sums herein appropriated shall be used as follows: \$148,000.00 for other expenses; \$17,000.00 for equipment purchases; and to transfer to the Departmental Emergency Fund such sums as may have been transferred from said fund to the Department of Public Safety for such purposes."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	O'Bannon
Albea	Giles	Jackson	Pelham
Bailes	Gilmore	Leonard	Skidmore
Branyon	Givhan	McDermott	Torbert
Carr	Goodwyn	Morrow	Turner
Childs	Harris	Nabors	Vacca
Cooper			

—24

Nays:

—0

And said Bill, H. B. 436, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Jackson	Pelham
Albea	Giles	Leonard	Skidmore
Bailes	Gilmore	McDermott	Stone
Branyon	Givhan	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Childs	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

H. 139. To amend Act No. 390, H. B. 484, approved September 4, 1957, an act giving the circuit court in equity the power to divorce persons from the bonds of matrimony in favor of either party where there has been a final decree of divorce from bed and board or of separate maintenance (Acts 1957, v. 1, p. 532).

Was read a third time at length and passed.

Yeas 20; Nays 4.

Yeas:

Messrs.:	Engel	Hawkins	Skidmore
Albea	Folsom	Leonard	Stone
Bailes	Gilmore	McDermott	Torbert
Carr	Givhan	Morrow	Turner
Childs	Harris	Pierce	Vacca
Dominick			

—20

Nays:

Messrs.:	Cooper	Giles	Jackson	
Branyon				—4

The Bill:

S. 320. To amend Act No. 720, H. 231, approved September 17, 1953 (Acts 1953, v. 2, p. 974), an act prohibiting certain public employees from participating in labor unions or labor organizations, so as to make further provisions respecting the employees of Bryce Hospital, Searcy Hospital, and Partlow State School.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Morrow	
Albea	Dominick	Harris	Pelham	
Bailes	Engel	Hawkins	Pierce	
Branyon	Folsom	Jackson	Skidmore	
Carr	Giles	Leonard	Vacca	
Childs	Gilmore	McDermott		—22

<i>Nays:</i>				—0
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MOTION TO ADJOURN LOST

At 3:40 P. M., Mr. Branyon moved that the Senate do now adjourn until Tuesday, August 15, 1967, at 2 o'clock P. M., which motion was lost.

Yeas 5; Nays 25.

Yeas:

Messrs.:	Cooper	O'Bannon	Oden	
Branyon	Hawkins			—5

Nays:

Messrs.:	Engel	Leonard	Pierce	
Albea	Folsom	Lolley	Skidmore	
Bailes	Giles	McDermott	Stone	
Carr	Gilmore	Morrow	Torbert	
Childs	Givhan	Nabors	Turner	
Clark	Harris	Pelham	Vacca	
Dominick	Jackson			—25

MOTION TO ADJOURN LOST

At 3:50 P. M., Mr. Cooper moved that the Senate do now adjourn until Tuesday, August 15, 1967, at 2 o'clock P. M., which motion was lost.

Yeas 6; Nays 24.

Yeas:

Messrs.:	Cooper	O'Bannon	Stone	
Branyon	Givhan	Oden		—6

Nays:

Messrs.:	Folsom	Jackson	Pelham	
Albea	Giles	Leonard	Pierce	
Bailes	Gilmore	Lolley	Skidmore	
Carr	Goodwyn	McDermott	Torbert	
Childs	Harris	Morrow	Turner	
Dominick	Hawkins	Nabors	Vacca	
Engel				—24

BILLS ON THIRD READING RESUMED

The Bill:

S. 519. To apply only in counties having populations of not less than 65,000 nor more than 95,000; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Childs	Goodwyn	Nabors	Vacca
Clark	Harris		

—25

Nays:

—0

The Bill:

S. 522. To make an appropriation to the State Military Department.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Cooper	Harris	O'Bannon	Vacca
Dominick	Hawkins		

—29

Nays:

—0

The Bill:

S. 399. Relating to supernumerary circuit solicitors; to amend Section 1 of an act approved September 3, 1953 (Act No. 474, S. 219, Acts 1953, Vol. 1, p. 589) which provides for the appointment of supernumerary circuit solicitors of the State of Alabama, in relation to the number of years of service prerequisite to a disabled district attorney, circuit solicitor, or like prosecuting officer by whatever name designated becoming a supernumerary circuit solicitor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Childs	Giles	Hawkins
Albea	Cooper	Givhan	Jackson
Bailes	Engel	Goodwyn	Leonard
Carr	Folsom	Harris	McDermott

Morrow	Oden	Skidmore	Turner	
Nabors	Pelham	Stone	Vacca	
O'Bannon	Pierce	Torbert		—26
Nays:				—0

The Bill:

S. 448. To amend further Act No. 152, H. 60, Regular Session 1945 relating to the Legislative Reference Service and the Legislative Council (General Acts 1945, p. 190).

was taken up.

Mr. Torbert offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 448

In Section 1, second paragraph, strike out the words and figures "\$18,000 per annum" and insert "\$17,000 per annum"

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Harris	O'Bannon	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—29

Nays: —0

And said Bill, S. B. 448, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham	
Albea	Gilmore	Lolley	Pierce	
Bailes	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Folsom	Jackson	Oden	Vacca	
				—27

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Pelham, further consideration of the Bill, S. B. 420, was indefinitely postponed by the Senate.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 86. RESOLVED BY THE SENATE That the following bills shall be the paramount and continuing order of business for the Thirtieth and Thirty-first Legislative Days only:

All uncontested local bills and uncontested general bills with local application

Bill No.	Page No.	Author
H. B. 12	96	Mr. Merrill
H. B. 13	96	Mr. Merrill
S. B. 527	110	Mr. Turner
S. B. 540	107	Mr. Givhan
S. B. 332	80	Mr. Folsom
S. B. 454	68	Mr. Folsom
H. B. 633	88	Mr. Bank
H. B. 263	97	Mr. Pennington
H. B. 353	102	Mr. Owen (B)
H. B. 354	102	Mr. Owen (B)
H. B. 355	101	Mr. Owen (B)
H. B. 350	103	Mr. Bank
S. B. 17	53	Mr. Albea
H. B. 496	83	Mr. McCorquodale
H. B. 507	98	Mr. Owen (B)
H. B. 508	111	Mr. Owen (B)
S. B. 397	109	Mr. Oden
S. B. 380	30	Mr. Torbert
S. B. 84	16	Mr. Givhan
S. B. 436	28	Mr. Givhan
H. B. 62	82	Mr. Turnham
H. B. 383	82	Mr. Turnham
S. B. 255	54	Mr. Goodwyn
H. B. 483	98	Mr. Springer
H. B. 458	103	Mr. Pruitt
S. B. 521	81	Mr. Turner
H. B. 305	18	Mr. Smith (P)
H. B. 306	18	Mr. Smith (P)
H. B. 307	19	Mr. Smith (P)
H. B. 520	99	Mr. Foshee
S. B. 541	96	Mr. Turner
H. B. 304	105	Mr. Smith (P)
H. B. 300	106	Mr. Smith (P)
S. B. 499	81	Mr. Gilmore
S. B. 138	89	Mr. Hawkins
H. B. 51	17	Mr. Malone
S. B. 107	19	Mr. Nabors
H. B. 701	106	Mr. Lybrand
H. B. 318	97	Mr. Agee
H. B. 465	79	Mr. Merrill
S. B. 14	10	Mr. Albea
S. B. 426	104	Mr. Turner
S. B. 548	114	Mr. Stone
H. B. 121	105	Mr. Hogan
H. B. 117	58	Mr. Weeks
S. B. 260	21	Mr. McDermott
S. B. 341	23	Mr. McDermott
S. B. 262	22	Mr. McDermott
S. B. 270	22	Mr. McDermott
S. B. 266	12	Mr. McDermott
S. B. 268	12	Mr. McDermott
S. B. 272	12	Mr. McDermott
S. B. 435	18	Mr. McDermott
S. B. 524	95	Mr. McDermott
H. B. 122	108	Mr. Marr

MOTION TO ADJOURN LOST

At 5:20 P. M., Mr. Pierce moved that the Senate do now adjourn until Tuesday, August 15, 1967, at 2 o'clock P. M., which motion was lost.

Yeas 7; Nays 20.

Yeas:

Messrs.:	Bailes	Hawkins	Pierce	
Albea	Gilmore	O'Bannon	Skidmore	—7

Nays:

Messrs.:	Engel	Leonard	Pelham	
Branyon	Giles	Lolley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Cooper	Harris	Nabors	Vacca	—20
Dominick				

FURTHER CONSIDERATION OF S. R. 86

The Senate proceeded to further consideration of the Resolution, S. R. 86.

Mr. Bailes offered the following amendment to the Resolution, S. R. 86, to-wit:

AMENDMENT TO S. R. 86

Amend the special order for the 30th and 31st legislative days by striking the sentence concerning local bills and inserting in lieu thereof the following sentence:

"All contested and uncontested local bills and contested and uncontested general bills with local application."

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 14; Nays 12.

Yeas:

Messrs.:	Cooper	Goodwyn	Oden	
Branyon	Folsom	Leonard	Stone	
Carr	Giles	Lolley	Turner	
Clark	Givhan	McDermott		—14

Nays:

Messrs.:	Gilmore	Morrow	Skidmore	
Bailes	Harris	Nabors	Torbert	
Childs	Hawkins	Pierce	Vacca	—12
Dominick				

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Steagall:

H. J. R. 80. WHEREAS, The Southern Star, published in Ozark, Alabama, is in the 100th year of its publication; and

WHEREAS, The Southern Star, has been published continuously since 1867 by the Adams family, beginning with Joseph A. Adams, the founder, and continuing through Joseph H. Adams, John Q. Adams, Jesse B. Adams to the present Publisher Emeritus, John Q. Adams, II and the Editor and Publisher Joseph H. Adams, who are assisted by the beloved Miss Vivian Adams; and

WHEREAS, The Southern Star has, throughout its 100 year history, contributed greatly to the cultural, educational, economic, political, and religious growth and development of the people of Ozark, Dale County and the Wiregrass area; and

WHEREAS, The Southern Star has never wavered from its goal of reporting the news accurately, promptly and objectively and has presented its readers with an intelligent, interesting and unbiased editorial policy; and

WHEREAS, The Southern Star has won many awards through the years for news stories, editorials and features, the most recent being an award of the Alabama Press Association for the outstanding editorial of 1967; and

WHEREAS, The Legislature of Alabama wishes to congratulate the Adams family in the 100th year of the continuous publication of The Southern Star and extend to them its best wishes;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Mr. John Q. Adams, II; Publisher Emeritus; Mr. Joseph H. Adams, Editor and Publisher; Miss Vivian Adams; and the entire Adams family in the 100th year of the continuous publication of The Southern Star and extend to them our best wishes for many more years of continued success.

BE IT FURTHER RESOLVED That copies of this resolution be furnished Mr. John Q. Adams, II, Mr. Joseph H. Adams and Miss Vivian Adams of Ozark, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 80, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Pennington, Pruitt, Mathews, Fite, Drake, Harper, Manley, Tuck, Young, Cook (Coffee), Meade, Burgess, Smith (P), Culver, Bank, Brown, Crawford, Stenbridge, Paulk, Agee, Headley, Foshee, Fine, Collier, Brassell, Owens (W. E.), Hobbie, Owens (W), Jackson (F), Berryman (R), Stubbs, Laxson, Neville, Hardin, Lemley, Shumate, Brannan, Owen (Baldwin), Mays, Berryman (W), Dobbs, Bassett, Pearson, Steagall, Williams, Starnes, Hain, Beck and Graham:

H. 764. Relating to ad valorem taxation; providing for the classification of property for purposes of taxation; and fixing percentages of the fair and reasonable market value of the property in the several classes at which such property shall be valued and taxes thereon assessed.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 764. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Pennington, Pruitt, Mathews, Fite, Drake, Harper, Manley, Tuck, Young, Cook (Coffee), Smith (P), Meade, Burgess, Culver, Bank, Brown, Crawford, Stembridge, Paulk, Agee, Headley, Foshee, Fine, Collier, Brassell, Owens (W. E.), Hobbie, Owens (W), Jackson (F), Berryman (R), Stubbs, Laxson, Shumate, Hardin, Graham, Lemley, Brannan, Owen (Baldwin), Mays, Berryman (W), Dobbs, Bassett, Neville, Pearson, Steagall, Williams, Starnes, Hain and Beck:

H. 765. To amend further Code of Alabama 1940, Title 51, Section 2, relating to the exemption of persons and property from ad valorem taxation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 765. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Pennington, Pruitt, Mathews, Fite, Drake, Harper, Manley, Tuck, Young, Cook (Coffee), Smith (P), Meade, Burgess, Culver, Bank, Brown, Ellis, Crawford, Stembridge, Paulk, Agee, Headley, Foshee, Fine, Collier, Brassell, Owens (W. E.), Hobbie, Owens (W), Jackson (F), Berryman (R), Stubbs, Laxson, Neville, Shumate, Hardin, Lemley, Brannan, Owen (Baldwin), Mays, Berryman (W), Dobbs, Bassett, Pearson, Steagall, Williams, Starnes, Hain, Beck and Graham:

H. 766. To amend Code of Alabama 1940, Title 51, Section 15, in relation to the exemption of homesteads from ad valorem taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 766. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Pennington, Pruitt, Mathews, Fite, Drake, Harper, Manley, Tuck, Young, Cook (Coffee), Smith (P), Meade, Burgess, Culver, Bank, Brown, Crawford, Stembridge, Paulk, Agee, Headley, Foshee, Fine, Collier, Brassell, Owens (W. E.), Hobbie, Owens (W), Jackson (F), Berryman (R), Stubbs, Laxson, Neville, Hardin, Lemley, Shumate, Brannan, Owen (Baldwin), Mays, Berryman (W), Dobbs, Bassett, Pearson, Steagall, Williams, Starnes, Hain, Beck and Graham:

H. 767. Proposing an amendment to Article XI, Section 217, of the Constitution of Alabama 1901 relative to ad valorem taxation; establish-

ing a classification system of property taxation; fixing assessment rates for each class of property.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 767. To the Committee on Finance and Taxation

FURTHER CONSIDERATION OF S. R. 86

The Senate proceeded to further consideration of the Resolution, S. R. 86.

SELECT COMMITTEE REPORT FILED

Pursuant to the provisions of H. J. R. 144, 1965 Regular Session, the report of the Interim Committee to Investigate the Feasibility of a Legislative Building was ordered filed with the Secretary.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 2 Delivered to the Secretary of State August 10, 1967, at 3:47 P. M.
 S. B. 48 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 174 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 232 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 256 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 257 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 290 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 325 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 348 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 8 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 163 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 148 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 75 Delivered to the Secretary of State August 10, 1967, at 3:47 P. M.
 S. B. 43 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 90 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 169 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 172 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 187 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 334 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 112 Delivered to the Governor August 10, 1967, at 3:40 P. M.
 S. B. 218 Delivered to the Governor August 10, 1967, at 3:40 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 6:45 P. M., on motion of Mr. Cooper, pending further consideration of the Resolution, S. R. 86, the Senate adjourned until Tuesday, August 15, 1967, at 2 o'clock P. M.